National Anti-Slavery Standard.

VOL. XXVIII. NO. 37. NEW YORK, SATURDAY, JANUARY 18, 1868. WHOLE NO. 1,441.

National Anti-Slavery Standard.

PUBLISHED EVERY SATURDAY,

BY THE

AMERICAN ANTI-SLAVERY SOCIETY,

At its Office, No. 30 Nassau Street, New York

THREE DOLLARS PER ANNUM.

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JUSTICE FOR THE NEGRO.

EXTRACT OF A RECENT DISCOURSE BY THE REV. JOHN SAVARY, PREACHED AT SOUTH HINGHAM, MASS.

As we treat the negro, so will God treat this nation. Never doubt it. The destiny of the Anglo-Saxon race on this continent is implicated to an extent beyond our wishes and our desires, but implicated it is with the fate of that unfortunate race, which will persist in dragging us down to their level, unless we choose rather to elevate them to our own. But there is a cry now about elevating the blacks, about their ruling us, and dominating in the councils of the country. A strange cry as ever was. Has anybody proposed to give the blacks *more* than equal rights, or to elevate them socially and politically above us? Has anybody proposed yet to make them socially and politically our equals? They are about one-eighth in numbers, or probably not more than one-tenth of our population. They are generally very poor and very despised, have no weight or influence, socially or politically, as yet. Without land, without education, without the ballot, without wealth, or numbers, or social position, what can they do? We, on the contrary, the white race, are the owners of the land of the country; we carry on the government; we own the bank stock, the public buildings, the railroads and the shipping; the manufacturing industry of the North, the agriculture of the West, the commerce of the East is ours. And with all these trump cards in our hands, we are afraid to deal fairly with our colored fellow-citizens, for fear they will get the start of us, and beat us at our own game! An inferior race, too! and with all the disadvantages of poverty, ignorance, and two centuries of bondage behind them! Can we think of this, brethren, and hold up our heads, and still talk about their ruling *us?*

Let us not make ourselves ridiculous in the eyes of a laughter-loving world. There is a certain party in this country which might profit by the advice which Bonaparte gave to one of his Generals: "You can afford to be beaten, General," said he, "but you can never afford to be laughed at." The truth is, that if we grant suffrage to the negro, we do not thereby elevate him, but we elevate ourselves in trying to do justice to him. It is not in the power of human laws to "elevate" any man, or race above the station where God and nature, and their own exertions have placed, or may place them. This is an industrial world, and one in which every man is left to work out a fate, and a place for himself. He will rise or not, according to ability. America says, and 'tis the glory of her institutions, "Every child of mine shall have a fair chance." No great government before ours ever preached equality, and practiced it too. But do we practice it as we should? The South always denied liberty to the blacks. The North still denies them equality. Why is this? Ask why, and the reason is not found in our Constitution of government; for that says expressly, that all men are equal. The reason, then, is in ourselves. *We are prejudiced.* And because we are, it is exceedingly hard for us to do justice to them. An Englishman once said to a British Colonial Governor, "You are not fit to rule a people against whom you are prejudiced." That is it which makes the rule of England in India, in Jamaica, and still more in Ireland, so bitter and oppressive. That is it which made the Jew for centuries the outcast of governments, and the orphan of civilization. That is it which to-day is made the bitter root of strife between Congress and the Executive, between the North and the South, though, I think, the prejudice of color is even stronger at the North than at the South. The only obstacle to the progress of the colored people, and their gradual amelioration, is in the existence of this color-prejudice, this classfeeling, or antipathy of race, particularly of the Irish among us. Yet they, of all others, should be the last to retort upon the negro the wrong which they have suffered. I once saw a colored man raise his hands to heaven, and fervently exclaim, "God Almighty, save us from Prejudice!" He uttered the prayer of his race, a prayer that incessantly goes up to the ear of our rulers, and is not unheard by the Ruler of the world. The preaching of charity is easy, but first there is something to be done. "To DO JUSTICE, *to shew mercy,* and to walk humbly with God," was of old, the ideal of a patriot and a good man. To do justice is before the shewing of mercy, and is, indeed, the right condition of it. Mercy is no poor, little, and weak thing, and soft as a woman's tear—it is the frown of justice, with the smile of love or pity breaking over it, and quenching the fire of wrath, or indignation at wrong, in compassion to the wrong-doer. It is even more terrible than justice, for wicked men easily harden themselves against the latter, but what human heart that has done or suffered wrong, is proof against the arrows of pity? A man will go further, and do more for a kind word, than for forty thousand blows. During the war which brought people of all kinds and conditions together, to work in a common cause, and which produced an excellent feeling among all classes, the poor negro said, "You' doin' all you can for us, and we's be doin' all we can for you." That was the feeling then, but what is it now? Gen. Grant testified that there was a very fine feeling in the South at the close of the war, and we know that his observation is strictly true. There was a disposition then to accept the logic of events, to accept universal suffrage in fact, as the most natural and necessary thing in the world. The future philosophical historian of America will have to puzzle his brains to understand why it was not done. Equality then, the fundamental rights and liberty of every human being in this country, seemed as fixed as fate in our laws and government. Yes, that glorious word, or thing seemed shaping itself under all eyes, a very miracle indeed, but no man questioned its reality—there were no mockers or skeptics of liberty in those days—for liberty had come red hot out of the fierce fire of the rebellion, and stood waiting on the anvil for the uplifted hammer to fall and fashion it into a mighty anchor, the kedge anchor of our government. That blow, *for some reason, never fell.* The iron was suffered to cool upon the anvil, while the workmen standing on either side, whose business it was to strike while the iron was hot, to strike with mutual and alternate blows, to strike with heart and good will, forgot their business, forgot their duty to country, to neighbor and to God, and fell to quarrelling over their work, which was naturally spoiled in the making. For two years now, the nation has been obliged to witness the unseemly spectacle of a quarrel between the Executive and the two Houses of Congress, while the country is tempested and turmoiled with the savage passions engendered of the strife. The words "rebel" and "radical" are hurled back and forth, with all the fury and recklessness of passion. The latest message of the President breathes hate and defiance to Congress, and we may be sure that high words will be uttered in debate, and a deluge of personalities be let loose upon him. It is literally "hammer and tongs" between the two, while the shop is filled with dust and coal-smoke, instead of the dusky-glow of cheerful labor, and the merry, ringing blows of good-natured workmen. Outside, commerce mourns, Jack is idle, business suffers, and honest industry can scarce hold up its head. Worst of all, is the effect on the finances of the country. The credit of the government is, today, so shaken and agitated at home and abroad, that our bonds fluctuate and fall in foreign markets, and the home creditor has no security that his debt will be paid in coin. We, for our part, have no doubt that the government intends to perform all its obligations, and to perform them to the letter. But what a state of things it is, when a whispered word can thus shake the credit of the strongest government on earth, when a breath of suspicion blowing from certain quarters, can make the pillars of our grand and beautiful fabric to sway and tremble, and threaten to totter, and fall into careless ruin! The credit of our nation, like that of Cæsar's wife, ought to be above suspicion. Our faith is pledged, and pledged in a double sense. The public creditor relies upon it, and so does the ex-slave, the freedman. If President Lincoln thought he would be damned to time and eternity, should he return to slavery a single black man who had borne arms for the country, we may well pause to consider if we can afford to discriminate against them in the making of laws. They do not ask to rule us; they ask, and the wish appears perfectly reasonable, that they be allowed to represent themselves and interests in a nation and a government prejudices against them. If there is a slow, failing, suffering class in the community, and as added reason for granting their wishes; for government is a system of checks and balances, and wisdom in legislation is to harmonize jarring interests and classes, by playing off one against the other. Thus the negro vote and the Irish vote can be neutralized, and made harmless by balancing each other. But the chief reason, and the controlling motive for doing justice now, lies in the remote consequences, and far-spread results of such a policy upon the prosperity of free institutions. If it is an object for a man to be faithful to the interests of those committed to his care, how much more is it an object of care and of anxious solicitude in a people who hold in trust the best hopes of posterity, and are guardians, as it were, of the future happiness of mankind; for this great continent, which is said to be shaped like a bowl, placed midway of the ocean, with Europe on one side, and western Asia, China and Japan on the other, is destined to drain off the surplus population of the globe, and, perhaps, to realize in forms of society and government, the sublime declaration of Paul, that "God hath made of one blood all nations to dwell upon the face of the earth." Let us not think that we are legislating for ourselves, but rather for mankind. And recognizing our relation to all the world, remembering our mission and destiny, in the true spirit of prophesy, anticipating the judgment of a world to come, and reflecting on the miserable errors and mistakes of a world past, let us have the "courageous wisdom" of hopeful and benevolent statesmanship, instead of that penny-wise and penurious spirit which grudges to another the fee simple of manhood, and under whatever fine name it covers itself, presumes to call that "policy" which at bottom is nothing else but selfishness. But we must not be selfish, and we must get rid of that last remnant of superstition and folly in the 19th century, "a white man's government." Our Constitution knows neither white nor black, nor makes color the criterion of rights. It is a government of man, and makes manhood and merit alone the criteria. It says "a man's a man for a' that." We must therefore admit in theory and in practice, in law and in fact, that what the Constitution says is true. We must proclaim in all ways, the great fundamental truth underlying our government and code of laws. And we must steadily assert the rights of man, of all men, regardless of race, color or condition; we must assert the rights of others with the same emphasis that we do our own. We must do this, or forfeit our title to be citizens of the Great Republic, or citizens of the world, as we may be. The country, the world asks only that we be true to ourselves, and remember what we are doing. If we are Republicans, let us be true to the principles of Republicanism. If we are Christians, let us be a Christian people and government, and make this the "model republic" indeed. There have been nations with outlying populations, but loosely attached to the government and laws, having no common language or bond of relationship, and whose only relation, in fact, to people, or the nation proper, was that of paupers and hangers-on its charity, or else that of soldiers and laborers whose enforced duty was to suffer, and bleed, and die in its defence. There are in this country those who know, though we do not, what it is to suffer and die in defence of a government that always oppressed them, and in aid of a people that always despised them. But "the meek shall inherit the earth." They shall inherit? Yes, when we incarnate the Christ of justice in good governments, and in fair and equal laws. Meanwhile, we have a Gospel to preach, and a chart to go by. We have the Golden Rule, and the Declaration of Independence. If we believe that all men are created equal, and that reciprocity, the doing as as you would be done by, is the safe rule of government and of international law, as well as of private life, then we shall be cowards in our own esteem, and traitors to God in history, if we falsify the record, or fail to enact these principles into laws. It is seen at once that there is no difficulty in applying either of these maxims to men of our race and blood, but whether is our Christianity deep and broad enough to embrace the men of other races, and other blood than our own, as the Coolie, the Indian, the Negro. This is the question, and it is the test-question of the age. It is likely also to prove the turning-point in our history. If we fail as Republicans in this trial-hour, the hearts of Republicans everywhere will fail within them. But screw our courage to the sticking-point, and we will not fail.

As a nation we must stand by the flag; as a government we must uphold the standard of full republicanism, and not let it be cut down to a half-monarchical or aristocratic standard. As a people we have one grand duty to perform; and that is to set a pure republican example to the nations of both the old world and the new. Our wish is to see that glorious ensign of the Republic "still full high advanced in the eye of the world, and not to see it lowered, nor to lower it ourselves in deference to the spirit of caste, or to mean and malignant prejudice. There are victories which cost dear. We may triumph equally over our opponents and our principles; we may put down the negro and Christianity together, that is democracy as aforesaid, but what will Garibaldi and John Bright say? Will they not say, and with truth, that we lost the most glorious opportunity of benefiting mankind that ever came to a people in this world—the opportunity of liberty afforded by the war? Will they not say that we lost it by our cowardice, timidity, treachery, weakness and want of faith? for that we dare not stand by our colors, nor go whither the eagle of the Republic points, nor follow where our principles lead. We dare not do justice, nor, from supposed necessity or a fear of consequences, carry out the principles of this government to their just and legitimate conclusion. Shame on America if this be so! Shame on our professing Christianity, and cherishing the spirit which has wrought ten thousand murders. The politics and principles of rebellion are not ended, if the rebellion itself is. They speak and vote still by proxy, by their representatives in the press, in the nation, in Congress, in the government itself. I bring no charges against individuals, but I say generally that the men, whoever and wherever they be, who are striving to foster the spirit, and to perpetuate in society and government the seeds and principles of rebellion, are accursed as the enemies of mankind. The injunction of Christ to love your enemies, does not mean that we are to love them before our friends. You love charity, and so do I; but, really now, charity *to whom?* Is it charity to the authors of sin and rebellion, or to their miserable victims? Is it charity to the devil, or love to God and his poor, that we want? Who was neighbor to him that fell among thieves? For that, precisely, is the situation of the negro among the various political parties that have ruled this country from the beginning. It certainly would not be charity now, to leave him naked and wounded by the wayside, while we carouse together with robbers and murderers in the Capitol. Let us beware, then, how we talk charity, lest we betray our sympathies. But we war with nothing which is not itself at war with these heavenly dispositions. The human heart, thank God, is merciful. Mankind are naturally disposed to charity, but they are not so naturally disposed to justice. And, on the whole, we say that without justice, mercy does not exist, and charity without it is a driveling weakness, instead of a noble benefaction. It is seen why, then, we stoutly insist on justice. It is not that we wish to quarrel with you, brethren, on any miserable point of doctrine or of duty—far less is it to disturb the peace and order of society; but because we conceive the honor of our government, the peace, safety and perpetuity—nay, the very existence of free institutions, is at stake, and bound up with that. If we see justice to be the vital point of order, stability and good government, why should we not insist upon it? Does not charity itself enjoin that course which is most free from dangers in the future, which is most just and necessary to the peace and welfare of our people. What is called policy, that is, we suppose, an enlightened selfishness, would itself prescribe that in restoring States, we should build upon those dispositions which are peaceable and loyal, rather than on the reverse. Nor does it make the slightest difference as to the success or application of this principle, whether the color of loyalty in the South is white or black. For certain purposes, as we found in war, a black-handled knife was as good as a white one. And black loyalty, we venture to say, will prove as good for all purposes of a republican government. It indicates the depth and strength of our prejudices, that we do not, as a people, yet seem willing to accord to the loyal blacks the same rights and privileges which we are about to extend to those who have been in arms against us. If it were a matter of taste, or sentiment only, we should care nothing about it; we should say nothing, least of all here. But because it is a matter of justice, a matter of right, and duty, and honor and propriety too; because we absolutely cannot be Christians, or Republicans either in any honest sense of those terms, unless we fulfil the Golden Rule in affairs and in life, therefore we must, and do insist that the everlasting law of justice shall rule in this nation and government, and shall not bend to our folly and prejudice. Human rights have nothing to do with color—human feelings have, but when human feelings are opposed to rights, our duty then is to get the better of our feelings, and to "conquer our prejudices." When we have done that, we shall have achieved the last victory of the war. And we have achieved too many victories to pause half-way in this work of reconstruction. The proverb was never truer than here and now, that what is worth doing at all, is worth doing well. The object of the war was freedom. But no class or race of men in this country can enjoy freedom without the franchise. Therefore a people have the same right to the franchise that they have to their freedom. *The war, then, is not over, nor have we achieved a full victory, a full freedom, till universal suffrage is the rule of the Republic.* This is more than the people, or at least more than any party intends. But it is no more than what loyalty to freedom, and the principles of this government require. I believe what another has said, that, "if universal suffrage is wrong, then our government is wrong." And how far wrong in practice, is proved by the haggling of parties over compromise measures, like the Constitutional Amendment for instance, which came far short of the full measure of freedom intended by the Constitution. It is strange that men who have lived through the war, and who profess to be statesmen and prophets too, should not be able to read the signs of the times any better. They do not seem to know which side was victorious in the struggle, or what the struggle meant with reference to principles, like universal suffrage, or to liberty and law. The war indeed gave liberty to a race of men. It did not bestow the franchise, or give enfranchisement. But liberty without enfranchisement, is not freedom. It is a middle state, and the blacks are now suffering all the horrors of a middle passage from slavery to freedom. There are many who think that a race thus liberated from the hell of bondage, should not be instantly raised to the heaven of equality. But whether it is better for them, or for us, it is impossible to mistake the voice of nature or the genius of our Constitution. Freedom is the normal state of man. The opposite of freedom is slavery, and no middle state is recognized by our laws. Such a state is only the purgatory of politics, and a plague to the nation. The question is, shall those who are in that middle state come to freedom or not. If not, then the proclamation of emancipation should never have been issued. If not, the war was a blunder and a failure, and all subsequent legislation founded on a mistake. It was a mistake possibly, that the proclamation giving freedom to slaves was not issued earlier. Not during the war, but before the war. It should have been coeval with the Declaration of Independence. To hold so may be heresy! It was no heresy once. It was good orthodox opinion North and South, till after the Revolution, that "all men are created free and equal, that they are endowed by their Creator with certain inalienable rights, as life, liberty, and the pursuit of happiness." There are some who still hold that opinion. There is a bright old man out in Pennsylvania who holds it; he holds the franchise to be of man an "inalienable right;" for that is the guardian of life, liberty, and happiness. But there are others who hold the opposite opinion. They hold that some men have a right to govern others without their consent, and that the others, a majority, have only the right to be governed. The White House leans to this opinion, and the South holds it as the first principle in her political creed. She emerged from the rebellion holding this belief in her right hand. If she was given over to believe a lie, that is no sign why we should believe it. It was part of the original falsehood of secession, that some men have a right to govern, and others the right only to be governed—a mistaken opinion, but the South holds it still. For when did the South surrender her opinion, or her policy? We disarmed her of cannon—not of her theory of government. And it is a proof of the extreme freedom, not to say license of opinions in this country, that a victorious people tolerate a Chief Magistrate who agrees in opinion more with the South than with the North, with the defeated rather than with the conquering section in the government.

Let us labor and pray for the salvation of our country, for the salvation of good men, and the Conversion of bad. But we need something to arm the soul that walks amid the dangers and duties of the time. That needful thing, that armor, is faith. We need a strong faith in the justice of God, and a strong desire to see it fulfilled in society and government. "Putting myself," says a late speaker, whose words I adopt, "on the Declaration of Independence and the Constitution of the United States, I desire a reconstruction founded on justice, and according to the spirit of the fathers." That is faith—faith in Republicanism. And therefore we welcomed the war, not as war, but because it came to teach mankind the law of justice, the necessity of law and order, and respect for the chartered rights and liberties of men. It was worth while to endure a century of bondage, and four years of bloody war, if thereby America was to be made free, and to work out freedom, that magnificent boon to the human race. By seeing and enduring the evil of slavery, we at length learned to hate it, and hating, to put it away at all costs, even at the sword's point; and it is just at this point now, where all yet seems doubtful or lost, that our true work begins. We are a nation, but not yet have we a national government. And a nation without a national government is an awful spectacle. A government, to be respected and obeyed, must have the central principle of authority. It will repose most securely upon the broad base of universal suffrage. It cannot at least dispense with the rule of impartial suffrage, or with loyalty as the condition of its exercise. Representative it must be in form and in fact, but representative of virtue, not of vice: of intelligence, and not of ignorance. Its ideal is liberty—a land without a slave, and a government without a traitor. Therefore it is that society demands of all rulers, as a prime guarantee of its own safety, loyalty to confessed principles, loyalty and a clear record. For the people, as a general thing, are loyal, and are not animated either by a mean or a revengeful spirit. They are animated by a spirit of justice, and it is only right that what is just and good should be represented in their government. It is right and fitting that the better should govern the worse, and not the worse govern the better. It is right that the people should know the characters of men who are candidates for office, and be able to discriminate in their selection. It is right at all times to sink the partisan in the patriot, and to merge the love of country in the broader love of mankind. For my part, I cannot conceive how any man beholding his duty to God and his neighbor in the clear glass of the moral law, in the light of eternal truth, can so far forget himself as to turn his back upon the great moral issues of his time—the issues of eternity—and become the mere tool of partisan feeling, or the mere vociferator of a partisan triumph. Surely there is something above and beyond party, something deeper, broader and higher in the spirit of liberty that dwells in man, and which goes into all questions which divide society or mankind, a something that takes hold upon the moral life of men and of nations—a mightier element than parties know how to deal with, but which deals with them, and with individuals according to their loyalty or treachery to IT. I call it the moral law of mankind, the moral element underlying and implicating the civil and political life of States and communities—as it were, a sea underneath a sea—politicians are the bubbles on its brine—but the Moral Sentiment is deep and strong, and setting on as the tide of that eternal sea which is bearing us all onward to God and the goal of final justice.

IMPEACHMENT OF THE PRESIDENT.

SPEECH OF HON. WM. LAWRENCE, OF OHIO, IN THE HOUSE OF REPRESENTATIVES, DEC. 13, 1867.*

THE House being in Committee of the Whole on the State of the Union—

Mr. LAWRENCE, of Ohio, said:

MR. CHAIRMAN: When the resolution was before the House declaring that the President of the United States should be impeached of high crimes and misdemeanors I sought an opportunity to present my views in support of it; but the privilege of general debate was denied. I would not now occupy time in discussion but for the grave importance of the subject itself, and the responsibility which in part rests on me of vindicating the report of the Judiciary Committe in relation to impeachment.

I appreciate and respect the motives of gentlemen here who concede the President's guilt but deem impeachment unnecessary and "inexpedient."

But I dissent from the idea that constitutional duties should be omitted for purposes of present and temporary expediency. On this great subject I would—

"Nothing extenuate,
Nor aught set down in malice;"

but I would maintain unimpaired the rights of the people and of every department of the government against all encroachments, at all hazards.

There is time for every duty, and none should be omitted. Rather than this should happen I would have Congress remain in continuous session to the 4th day of March, 1869.

And now, sir, I proceed to inquire, not as to *all*, but what are *some* of the high crimes and misdemeanors of which the President has been guilty; and then I will endeavor to show that these are impeachable within the letter and spirit of the Constitution.

Andrew Johnson became President April 15, 1865. On the 26th of May the last of the rebel armies surrendered and flagrant war ceased. In seven of the insurrectionary States *rebel* State governments then existed and none other. The so-called "Johnston-Sherman" arrangement of April 18, proposing that these rebel State governments should be recognized was disapproved by President Johnson, and by military orders they were swept out of existence. The people of these States were thus left without any civil State government.

A GRAVE QUESTION.

By whose authority civil State governments should be re-established, the *time* when, and the *terms* were the gravest questions of civil administration ever presented to the people of the Republic. They involved the inquiry whether the structure of governments could be reared, the civil political rights of millions of people be determined, and the terms of restoration be dictated by Presidential power without law, in defiance of Congress and the people alike of the loyal and the disloyal States.

WHAT THE PRESIDENT DID—USURPATION OF POWER.

On the 29th of May, 1865, the President appointed a provisional governor for North Carolina by proclamation, and required him

> At the earliest practicable period to prescribe such rules and regulations as may be necessary and proper for convening a convention, composed of delegates, * * * for the purpose of altering or amending the constitution thereof: and with authority * * * to restore said State to its Constitutional relations to the Federal government: *Provided*, That in any election that may be hereafter held for choosing delegates to any State convention, as aforesaid, no person shall be qualified as an elector, or shall be eligible as a member of such convention, unless he shall have previously taken the oath of amnesty, as set forth in the President's proclamation of May 29, A. D. 1865, and is a voter qualified as prescribed by the constitution and laws of the State in force immediately and before the 20th day of May, 1861, the date of the so-called ordinance of secession.

Six other similar officers were appointed by like proclamations for Mississippi, Georgia, Texas, Alabama, South Carolina and Florida.

The President assumed the power to create the office of provisional governor, although it was unknown to the Constitution or laws; to regulate the qualifications of electors and officers in the work of reorganization; enfranchising rebels who would take the oath he prescribed and disfranchising the freedmen. By his proclamations and instructions afterward given he caused State governments controlled by and in the interest of rebels to be established in these States, never submitted to a vote of the people, and which deprive the great body of the loyal citizens of all political privileges.

Congress has twice solemnly, under the sanction of official oaths, and by majorities of more than two-thirds in each House, declared this work of the President a usurpation, and the State governments of his creation illegal.

The preamble to the act of Congress of March 2, 1867, known as the "reconstruction act," and which provides a mode of establishing lawful State governments to supersede these creations of the President, in these words:

> Whereas, *no legal State governments* or adequate protection for life or property now exist in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas and Arkansas.

Either Congress is wrong or the President is guilty of usurpation.

THE PRESIDENT ADMITS HIS USURPATION.

These emphatic declarations of Congress and of the courts forever remove all pretext for justifying the President on the ground that a "*state of war* existed which authorized "temporary military" government. But if military government could be set up by the President during flagrant war or the state of war succeeding it, it could only be done through military officers, and not by civil provisional governors unauthorized by any law. But a temporary military government to exercise power only *as such* is one thing—its employment to create a permanent civil State government is quite different—and the civil government of its creation is yet another thing. And it was this consummation which the President sought and accomplished.

The President, through his Secretary of State, in telegrams of July 24 and September 12, 1865, the former to the provisional governor of Mississippi and the latter to the provisional governor of Florida, declared as to one:

> The government of the State will be provisional only until the civil authorities shall be restored with the approval of Congress.

And as to the other:

> It must, however, be distinctly understood that the restoration to which your proclamation refers will be subject to the decision of Congress.

ADDITIONAL USURPATION.

But the usurpation of establishing State governments to prejudge the duties of, and to be thrust upon Congress, is aggravated by the *additional substantive crime, that the President repeatedly recognized and treated as legal and entitled to all the rights of valid States these illegal organizations not only before Congress had acted on the subject, but after their approval and recognition had been refused.*

Congress first met, under President Johnson's administration, December 4, 1865. On that day the President's annual message, referring to his plan of reconstruction, said:

> It is not too much to ask * * * that * * * the evidence of sincerity in the future maintenance of the Union shall be put beyond any doubt by the ratification of the proposed amendment to the Constitution, which provides for the abolition of slavery forever within the limits of our country. * * * The amendment to the constitution being adopted, it would remain for the States, whose powers have been so long in abeyance, to resume their places in the two branches of the national Legislature, and thereby complete the work of restoration.

Looking back from the position we now occupy, it is apparent that the President's purpose was to declare that the adoption of the constitutional amendment abolishing slavery, which he had required as a condition to restoration, would entitle the rebel States as of right to be deemed legal States; and that Congress could only inquire into the regularity of elections as from other States.

Mr. MUNGEN. Was not the constitutional amendment submitted to these States with the consent and concurrence of Congress?

Mr. LAWRENCE of Ohio. It was not. Congress never submitted any constitutional amendment to any one of these illegal creations of the President. It was the work of his Secretary of State.

On the 4th of December, 1865, the day the President sent to Congress his annual message, a resolution was introduced in the House, amended in the Senate, and agreed to in the House December 13, in these words:

> *Resolved, by the House of Representatives* (the Senate concurring), That a joint committee of fifteen members shall be appointed * * * who shall inquire into the condition of the States which formed the so-called confederate States of America, and report whether they, or any of them, are entitled to be represented in either House of Congress, with leave to report at any time by bill or otherwise.

The Joint Committee was appointed on the part of the House December 14, and on the same day that body—

> Resolved, That * * * no member shall be admitted from either of the so-called States until Congress shall declare such States or either of them entitled to representation.

On the 18th December, 1865, the Secretary of State, with the President's sanction, declared the amendment to the Constitution abolishing slavery, adopted by the ratification of the requisite number of States, including the rebel States of South Carolina, Alabama, North Carolina, Georgia, Arkansas, and Tennessee, thus recognizing them as valid States, though their ratification was not as a question of constitutional law essential. On the 19th of February, 1866, the President, in his veto message of "the Freedmen's Bureau bill," said in relation to the rebel States:

> It is hardly necessary for me to inform Congress that in my own judgment most of those States, so far, at least, as depends upon their own action, *have already been fully restored and are to be deemed as entitled to enjoy their constitutional rights as members of the Union.*

On the 20th February the House adopted a resolution, concurred in by the Senate, March 2, as follows:

> Resolved, That * * * no Senator or Representative shall be admitted into either branch of Congress from any of the said States until Congress shall have declared such States entitled to representation.

On the 3d of April, 1866, the President recognized North Carolina as a State by issuing to that State agricultural college land scrip for nearly two hundred and seventy thousand acres of land, under the act of July 5, 1862.

This was met by a joint resolution of Congress, approved by the President March 30, 1867, prohibiting the further issue of scrip, and with a preamble as follows:

> Whereas, On the 3d day of April, 1866, by the authority and direction of the President of the United States, agricultural college scrip, covering nearly two hundred and seventy thousand acres, was issued and delivered to the State of North Carolina under the act of Congress of July 5, 1862, providing for agricultural colleges; and whereas said action of the President takes for granted that said States are restored to their proper constitutional relation to the Union, and are to be recognized in all respects as entitled to the rights of the other States of the Union, *which question Congress alone can rightfully determine:* Therefore, *Be it resolved*, etc.

On the 18th June, 1866, the joint Committee on Reconstruction made their report, proposing an amendment to the Constitution and other measures of reconstruction.

On the 22d June, 1866, the President, in his message declaring hostility to the amendment said:

> That of the thirty-six States which constitute the Union, eleven are excluded from representation in either House of Congress, although, with the single exception of Texas, they have been entirely *restored to all their functions as States in conformity with the organic law of the land*, and have appeared at the national Capitol by Senators and Representatives, who have applied for and have been refused admission to the vacant seats.

And in his veto message of July 20, 1867, he said of his State governments that—

> Executive recognition, as is well known, has been frequent and unwavering.

The President had in November, 1866, recognized the government of Georgia as a State by a sale to it of railroad property of the United States to the amount of $472,944 66.

THE APOLOGY—IT FAILS.

For all this the minority report on impeachment furnishes what may be regarded as an attempted *apology* and a *defence.*

The *apology* is that Cabinet ministers, holding office by the tenure of the President's will, assented to his proclamations, all supposing, however, that "what was being done" would last no "longer than until Congress would meet and either ratify or establish some other form of government."

When the President declared that his measures of reconstruction were "subject to the decision of Congress," he conceded his usurpation of the law-making power of the nation, and no assent of his advisers could relieve him of his deliberate and acknowledged overthrow of the Constitution. But his advisers were induced to believe that his original purpose was to submit all to "the approval of Congress;" and their acquiescence is no apology for him if he never entertained such purpose, or having entertained it, afterward abandoned it to accomplish a criminal purpose, built upon the work to which they assented. It is legitimate to infer from his subsequent acts that his original purpose was to consummate his scheme regardless of Congress. If he only contemplated temporary governments, for what purpose did his proclamations require his provisional governments to create State governments? The testimony proves that the original purpose of the President was to restore the rebels to power. But the crime of the President does not stop here. Congress has repeatedly affirmed, and the Supreme Court has determined that—

> It rests with Congress to decide *what government is the established one in a State.*—7 *Howard*, 1.

With full knowledge of this, the President has *himself decided* the creations of his own usurpation to be the lawful and established governments in these States, and treated them as such. And all this was without the assent and against the declared opinions of Gen. Grant and Secretary Stanton that—

> The whole subject of reconstruction, and the relation of a State to the Federal government, is subject to the controlling power of Congress.—*Evidence, pp.* 835, 406.

THE DEFENCE.

But the minority report suggests as a defence that—

> The reconstruction policy of the President cannot succeed except through an approval by Congress. Such an approval would destroy every element of crime involved in it. If it do not receive the sanction of Congress it cannot present a perfect crime.

Mr. Chairman, I cannot perceive either wisdom, logic, or law in this entire proposition. It holds success or failure in usurpation alike guiltless. It maintains that if an end is accomplished by an acceptance or ratification secured through the influence of power, patronage, the force of circumstances, or the difficulties of avoiding or rejecting it, all the illegal means employed to attain it are sanctified though never approved.

It is enough to say that every step the President has taken in his scheme of reconstruction is itself a "perfected crime" which no palliation can excuse and no logic justify.

These usurpations commenced on the 29th of May, 1865. By law Congress could not assemble until December 4, unless sooner convened by the President. He misled the people and quieted their fears by assuring them his policy was "an experiment" "subject to the power of Congress."

LINCOLN'S POLICY.

It has been intimated that President Johnson only carried out the plan of reconstruction of President Lincoln. But this is effectually disproved by the evidence. President Lincoln only appointed one provisional governor—Edward Stanley—for North Carolina, May 19, 1862, and who resigned January 9, 1863, without attempting to set up any State government. But this led to the act of Congress of February 9, 1863, designed to prohibit the appointment or payment of such officers.

President Lincoln afterward assigned brigadier-generals to duty as military governors, charged with raising troops and other military services. They were not authorized to call conventions or organize governments, but that was left to be the voluntary work of the loyal people.

Mr. Lincoln never had decided on or submitted to his Cabinet "any plan for the reorganization of the rebel States."

But President Johnson appointed *provisional* governors, to hold during his pleasure, in violation of the Constitution, which limits appointments to "*offices established by law.*" He fixed their salaries by his will and paid them out of the Treasury in violation of law, or by taxes illegally assessed from the people.

ONE OF THE CHIEF CRIMES.

Chief among the crimes against the Constitution and laws, then, are these: that, on the "extraordinary occasion" presented by the surrender of the rebel armies, the President refusing to "convene both Houses of Congress," in order that he might usurp powers exclusively belonging to them, created the office of provisional governor, defined his duties, and imposed their performance on men holding by the tenure of his pleasure, on a salary fixed by his will, and paid in violation of law.

That he instituted a military or provisional government through the agency of unauthorized civil officers in seven States, not merely for purposes of military government, but to usurp the rightful and exclusive power of Congress of establishing civil governments.

That by such unauthorized agencies he established civil State governments in seven States without the sanction of the people or the authority of Congress.

That, notwithstanding Congress steadily refused to recognize or ratify such illegal State governments, "the President, by repeated acts, declared them established in conformity with the Constitution, and recognized them as such."

MAGNITUDE OF THE CRIMES.

These are crimes of no small magnitude. They attempted the overthrow of the legislative power of the nation on the most momentous subject which ever called for its exercise. They attempted to lay the foundation of empire over a large portion of the continent; to dispose of the rights and liberties of millions of people in a mode disapproved by Congress and the majority of the nation; to dispense with the safeguards imposed by the "Constitutional Amendment" prescribed by Congress as a condition of restoration, affecting the very structure of the government, and relieving it of asserted liability of thousands of millions of debt incurred in aid of the rebellion, and from accountability for the emancipation of slaves.

History has given us the contests between the despotism of executive power on one side, and the rights of the legislative power of the people on the other. It has given us the struggles of the ages between privileged classes, and the people demanding their equal and inalienable political rights. It has given us the struggle between the rights of labor, and the ascendency and control of accumulated capital. But Andrew Johnson has given the world at one view all that is odious in this triple contest; for as President, he is a usurper seeking to reinstate the dethroned slave oligarchy as a privileged class, controlling the wealth and wielding the political power of the States against the rights of man and the interests of humanity. Compared with his, the crimes of Scroggs, and Jeffries, and Hastings pale into utter insignificance. If the American Congress, awed into submission, or unwilling to meet its greatest duty, fails to apply the constitutional remedy for these crimes against law, civilization, and the human race itself, the eternal verdict of impartial history will be that it is the gravest error of our times.

Mr. ELDRIDGE—I wish to know of the gentleman from Ohio if he has examined the case in 9 Howard, which he will find on page 216?

Mr. LAWRENCE, of Ohio—It was simply decided in the California case, to which the gentleman refers, that while a state of war continues, the military power, through military officers recognized by law, may set up temporary provisional governments to be controlled by military power until Congress shall determine that a state of war has ceased and that peace is restored.

Now, I should be glad to ask the gentleman from Wisconsin [Mr. Eldridge] a question. The minority of the Joint Committee on Reconstruction, headed by Reverdy Johnson, in his report submitted to Congress in 1866, did not venture to say that Andrew Johnson had power to take the steps for reconstruction which he has done.

And now, does the gentleman from Wisconsin claim that the President had the power to take the steps which he did take in this work of reorganization? If he does, he is the first man among all the lawyers of this country who has ever had the courage to claim any such thing.

Mr. ELDRIDGE—I never believed that the President had power to establish any such government in any organized and existing State of this Union. My own position has always been that those States exist within the Union; and that the people themselves—neither the President nor Congress—should reorganize their governments; that the loyal people themselves have the right to get together and set their State government again in motion.

Mr. LAWRENCE, of Ohio—Then, Mr. Chairman, I am glad to find that my distinguished friend from Wisconsin agrees with me that these acts of the President are monstrous usurpations. I welcome him to the ranks of those who denounce the man at the White House as a usurper, a violator of the Constitution, and guilty of high crimes against the people of all the States.

Mr. ELDRIDGE—And, Mr. Chairman, I think, so far as that is concerned, that Congress and the President are *in pari delicto*—that they stand together as infamous usurpers of ungranted powers.

DISPENSING WITH THE TEST-OATH.

Mr. LAWRENCE, of Ohio—The act of Congress of July 2, 1862, provides that—

> Every person * * * appointed to * * * office * * * shall, before entering upon the duties of such office, and before being entitled to any of the salary thereof take an oath—

known as the "test-oath," that he has not given aid to rebellion.

On the 5th of April, 1866, the President transmitted to Congress a communication from the Secretary of the Treasury, in which that officer says, in relation to appointments to office in the rebel States in 1865, that—

> It was thought that the test-oath might, in view of the great objects to be attained, in some cases *be dispensed with.*

Between April and December, 1865, the President appointed twenty-six officers of the customs, three collectors and six assessors of internal revenue, and one direct tax commissioner; and under the policy so authorized thirty-nine assistant assessors were appointed by the Treasury Department and permitted to enter on the duties of their offices, none of whom could or did take the test-oath.

The Attorney-General, concurring with the Secretary of War, that persons could not be lawfully "inducted into office without taking the test-oath," so advised the President, at least as early as August 19, 1865. But he took no steps to countermand the assent he had given to the appointment of rebels, and they *continued* to be appointed up to the time when Congress met in December. And the President, though advised by Mr. Seward of the propriety of "submitting the facts to Congress," failed and refused, until compelled by the Senate resolution of December 13, 1865, so to do.

The President, whose duty it was "faithfully to execute" the laws, *deliberately* determined to suspend their operation and disregard them. If he may do so, the Courts may equally do the same, and the law-making power will be a nullity.

For a similar offence James II. was driven from the throne and lost his crown. The Declaration of Right was the result, aff

general confiscation; but the wisdom or expediency of legislation is to be decided by Congress, and the President has never yet recommended the repeal or modification of these acts. In May, 1865, the President ordered the Attorney-General to enforce the laws. *But the President soon* changed his purpose and refused to perform his duty as marked out by law, because "he hardly considered it a proper policy," and proceedings instituted for confiscation were generally discontinued, including that against the notorious C. C. Clay. It is not pretended "the Courts would not enforce these acts." Confiscation would have brought millions from great offenders to the public treasury. But the essential crime of the President is not so much in the loss to the Treasury, the consequent increased burdens on loyal citizens, the immunity afforded to rebels, but in the assumption of a power to dispense with the laws at his pleasure, and thus annihilate the will of the people as expressed by Congress.

FAILURE TO EXECUTE THE LAWS AGAINST TREASON.

The fact is also notorious that the laws for the punishment of treason have not in a single case been executed. The lapse of time will soon bar all prosecutions against every one of the great traitors within our jurisdiction. The Attorney-General, on the 6th January, 1866, declared to the President that it was his "plain duty to cause criminal prosecutions to be instituted against some of those who were mainly instrumental in inaugurating and most conspicuous in conducting the late hostilities."

On the 4th of April, 1867, instructions were given by the Attorney-General "to suspend all proceedings against C. C. Clay and not to make the arrest," and to dismiss all indictments for treason pending in [Maryland] based on acts committed by parties acting in a military capacity during the war."

And this policy has prevailed generally.

This refusal to execute the laws cannot plead its early excuse that trials were impracticable; for the District-Attorney of Virginia testified that—

There never has been any difficulty since I have been district attorney (July 1, 1863) in getting an impartial loyal jury in Virginia that would convict men against whom there was sufficient evidence of treason.

If the President may execute the laws or not at his pleasure, then the law-making power is a practical nullity.

SURRENDER AND SALE OF GOVERNMENT PROPERTY.

The act of Congress of January 31, 1862, authorized the President to take military possession of railroads and rolling stock, and to use, extend, and repair them.

During the rebellion the government seized railroads, including one at least constructed by the rebel confederacy, and expended on them for labor and materials $42,462,142 55, besides the work performed by soldiers. The government built at the suggestion of Andrew Johnson, then Military Governor of Tennessee, many miles of the Nashville and Northwestern railroad, expending thereon $1,469,733 20, besides the labor of soldiers.

Upon the Nashville and Chattanooga railroad the government expended $4 079,511 33.

By capture in war the railroads constructed by the rebel government became the property of the United States.

By virtue of the President's orders of August 8 and October 14, 1865, the railroads held by military authority of the United States in the insurrectionary States were "turned over to the owners," who had been generally rebels.

This was unauthorized by any statute. Its purpose and effect were to surrender property which had cost the government many millions, and it was contrary to the opinion of the Quartermaster-General of August 9, 1864, who, in relation to the two Tennessee roads to which I have referred, said:

I am of the opinion that the United States should retain possession of both roads. * * *
The interests in these roads not settled by legal proceedings under the confiscation act should, it appears to me, be settled formally by legislation.

And in May, 1865, Gen. Thomas, then in command of Tennessee, declared "it was not right at that time to turn over the roads," and he refused to do so.

Under the same orders of the President, utterly without authority of law, the railroad rolling stock held by the government by purchase, construction, or capture, was sold to Southern railroad companies on a valuation, payable in equal monthly instalments for two years, with interest at seven and three-tenths per cent. per annum, amounting in all to $10,894,944 29, including sales to the Nashville and Northwestern Company for $525,400 26, and to the Nashville and Chattanooga Company for $1,566,551 73.

EXTENDING TIME OF PAYMENT.

But this is not all. On the 22d of May, 1866, the Nashville and Chattanooga Company owed the government $1,564,836 99, on which the interest and instalments due were $325,398 99. The President was informed that this company had money "on deposit to meet interest on [its] bonds," which was sufficient to pay the "amount due the government." But on the mere letter of request of John McClellan for M. Barnes, with no sworn or other evidence, the President, without any authority of law, ordered "that collection be suspended until further orders." By these acts the President, without law, disposed of the property of the nation of the value of many millions. His orders for that purpose were made only a few weeks before the assembling of Congress in 1865. His sales were carried on and his postponement of payment of money due the United States were while Congress was in session, yet he never consulted the law-making power or called attention to what he was doing.

One of his relatives was a stockholder in one of these roads, and was paid a liberal fee for services in getting the road "turned over." The President himself prior to the rebellion and ever since was the owner of nineteen coupon bonds of $1,000 each, issued by the State of Tennessee for the payment of the principal and annual interest, of which the Nashville and Chattanooga Railroad Company was bound with a guarantee also by the State. The interest had not been paid since about 1861. The result was the government was not paid, but the long-deferred interest coupons of the President, amounting to over five thousand dollars, were, and his account had credit accordingly in the First National Bank of Washington, in May, 1866.

OTHER PROPERTY.

On the 8th of July, 1865, the President authorized the Provisional Governor of North Carolina to—

Appropriate for the inevitable and indispensable expenses of the civil government of the State during the continuance of the provisional government property, as well as funds lying about in different places in the State and elsewhere not reduced into possession by the United States officers as insurgent property.

And, government property to the amount of $100,000 was so appropriated, and other expenses of the provisional governments were paid directly from the Treasury of the United States.

This was not only without but in violation of law.

SURRENDER OF PROPERTY OF FREEDMEN—VIOLATION OF LAWS.

During the rebellion four millions of slaves became free. The military authorities took possession of millions of acres of lands abandoned by their owners, and acquired the title to still more by confiscation and purchase at tax sales under the direct tax law. The Freedmen's Bureau act of March 3, 1865, set apart in tracts of forty acres for the use of loyal refugees and freedmen lands in possession of or owned by the government to be enjoyed for three years on rent with a right of purchase thereafter.

In many cases lands were "condemned" and thereby "became the property of the United States" prior and preparatory to a sale under the confiscation laws. These and other lands owned by the government were claimed by circular No. 13, of July 28, 1865, of Gen. Howard, Commissioner of the Freedmen's Bureau, for lease and sale to freedmen and refugees.

Gen. Howard insisted that the President's pardon to rebels did not restore lands set apart for freedmen by law, nor apply to lands after a decree of condemnation or confiscation. The President, however, determined and directed a circular to issue declaring that a pardon by special warrant or the amnesty of May 29, 1865, restored lands set apart to freedmen and lands "*condemned*" but not sold. This was a palpable violation of the law declaring the freedmen should be protected in possession and of the confiscation law vesting title in the government by decree of condemnation. By the President's authority real and personal property of the value of many millions were thus surrendered in violation of law and of the rights of refugees, freedmen, and of the government itself. The Sea islands, seized under Gen. Sherman's famous special field order and to which the circulars did not apply, were surrendered, and the freedmen thereon settled were deprived of their rights.

And it would seem from the evidence that finally large amounts of land actually confiscated were surrendered in violation of law to rebels. The extent to which these violations of law proceeded, may be imagined by the amnesty and pardon granted to rebels.

THE LAW OF IMPEACHMENT.

And now I proceed to inquire—upon these facts is the President by the established law of the land *impeachable?*

I have already given some views to the public on "the law of impeachment," and I do not propose to go into a full discussion of it now. (American Law Register, September, 1867, volume 6, N. S., 641).

It is generally assumed, and for the purpose of this discussion I will say, that the Constitution declares that the President is impeachable for "treason, bribery, or other *high crimes and misdemeanors.*"

At the time the Constitution was adopted, and ever since in England and all the original States of the Union, what is known as the "*common law*" and "common law crimes" existed, and yet exist, in addition to crimes defined by statute; and this is so in all the States except Ohio, and perhaps two or three others. The common law makes almost every act criminal which—

Mischievously affects the person or property of another, or openly outrages decency or disturbs public order, or is injurious to public morals, or is a breach of official duty.—*Wharton's Criminal Law, Section* 3.

In addition to their technical, legal signification, the words "*crime*" and "misdemeanor" have a "*popular*" or "*parliamentary*" and a "*moral*" sense. (4 Blackstone, 5 note by Christian.)

In the parliamentary sense misdemeanor is misconduct, misbehavior, maladministration. By the Constitution judges "hold their offices during *good behavior.*" When good behavior ceases, their right to office ceases. Impeachment is the only remedy by which it can be ascertained. It is competent to perform its purpose without the aid of a statute, and no act of Congress can destroy or impair the power thus given. But unless the term "misbehavior" is construed, as in English parliamentary history, in the popular sense, the power of impeachment is nugatory. In the moral sense crime or misdemeanor is violation of moral or religious duty.

Now, if the Constitution uses the words "crimes" and "misdemeanors" *only* to designate offences made *indictable by act of Congress*, then the President may not be impeachable. But if the Constitution includes not only *statutory* crimes, but (besides treason as defined in the Constitution, and bribery at common law) also *other* common law crimes and misdemeanors of a high grade, then the President is *impeachable*, for he has by his usurpations violated the highest law of the land—the Constitution; he has violated acts of Congress other than the penal, and this is crime at common law.

Bishop says:

When a statute [or the Constitution] forbids a thing affecting the public, but provides no penalty, the doing of it is indictable at common law. (535 [349] 187 [84].) Whenever the law statutory or common casts on one a duty of a public nature, any neglect of the duty or act done in violation of it is indictable.—*Criminal Law*, 337 [350], 913.

For the purposes of the impeachment we are now considering it is enough to say the words of the Constitution "high crimes and misdemeanors" include common law as well as statutory offenses. But the Constitution, according to its true interpretation, goes further, using the words "high crimes and misdemeanors" in the "parliamentary" sense, which includes crimes by statute, crimes by common law, and crimes against the State or nation by mal-administration or misconduct, provided the act committed or duty omitted be such as by modern parliamentary usage and the judgment of the civilized world rises to the dignity of a "*high* misdemeanor."

And this is as definite and no less latitudinarian than the common law itself, which is "the perfection of reason" as determined by courts. For even in England not *all* common law offences are impeachable, but only such of them (along with others not indictable) as by parliamentary usage or popular sense rise to the dignity of "*high*" misdemeanors, and of this the House of Lords are the sole judges. (Peck's Trial, 10 Selden, Judicature in Parliaments, 6; 2 Hale P. C., 275; Barclay's Digest, 150.)

But it is maintained that only crimes or misdemeanors are impeachable; that "common law crimes are not indictable in the courts of the United States," and are therefore not crimes within the meaning of the Constitution, and hence that "common law crimes will not sustain an impeachment." (Minority Report, 78.)

I reply to this:

1. It is conceded that common law crimes were impeachable in England. The words "high crimes and misdemeanors" in our Constitution are copied from the British constitution. (6 American Law Register, 645.)

They therefore mean here what they were understood to mean in England, for it is a rule of interpretation, that where foreign statutes or phrases are adopted into our constitutions or laws, "the known and settled construction" thereof "has been considered as silently incorporated into" them. (6 American Law Register, 646, note, 3 Wheaton, 610; 1 Wood & Minot, 448; Minority Report Judiciary Committee, 76.)

The Constitution contains inherent evidence of this. By it "treason, bribery, and other high crimes and misdemeanors" are impeachable. "Treason" is defined in the Constitution; "bribery" is not; and it therefore means what the common law has defined it. As the Constitution thus itself resorts to the common and parliamentary law for the definition of its terms, the words "high crimes and misdemeanors" are to be interpreted by the same codes. They are as completely included as though every crime had been specifically named.

These general views are supported by the opinions of the framers of the Constitution, by contemporaneous construction, by usage, and by the opinions of every jurist in America who has written upon our Constitution or laws, until within the last year, during which a wisdom hitherto unknown has discovered that the sages of the law have all been mistaken—that nothing is impeachable unless made indictable by act of Congress, and this new-born heresy is now promulgated for the first time to shield from merited justice an offender whose crimes are unequalled in the annals of impeachment. (6 American Law Register, 653.)

II. *The reason which denies jurisdiction of common law crimes to the courts of the United States does not apply to impeachments.*

By the Constitution trial for crimes must be had in the State and district where committed. (Article 6 Amendments.) By the Judiciary *Act of September* 24, 1789, the Supreme Court is restricted to holding sessions at Washington. (1 Statutes-at-Large, 73.) By the Constitution the judicial power of the United States is vested in the Supreme Court and such *inferior courts* as Congress may establish. (Article 3, section 1; article 1, section 10.)

It was held as early as 1812 that the circuit and district courts of the United States, being the "*inferior courts*" established by Congress, could exercise no criminal jurisdiction. This doctrine was reaffirmed in 1816 by a divided court, and has never been authoritatively decided since.

The denial of common law criminal jurisdiction in these inferior courts rests solely on the reasons that such tribunals being created *not by the Constitution* but by *act of Congress*, they—

Possess no jurisdiction but what is given them by the power that creates them;

and that—

There exists no definite criterion of distribution [of jurisdiction] between the district and circuit courts of the same district.

And that common law—

Jurisdiction has not been conferred by any legislative act.

And it is said that the Supreme Court alone—

Possesses jurisdiction derived immediately from the Constitution, and of which the legislative power cannot deprive it.—7 *Cranch* 33.

Where, therefore, a common law jurisdiction is conferred by the Constitution on a court created by that instrument, it is one "of which the legislative power cannot deprive it." (7 Cranch, 33.)

And this is precisely what the Constitution has done as to impeachments; it has created the court for their trial—the Senate; it has given that body jurisdiction of *all* "crimes and misdemeanors" impeachable by parliamentary usage, and no law can limit it. And this view has been sustained by Story and Rawle and Kent, *after* and *in view* of the decisions referred to. (6 American Law Register, 656.)

III. *Common law crimes do exist, they are indictable, and jurisdiction of them has existed in the courts of the United States for two-thirds of a century, in the District of Columbia, where the President's offences were committed.* (1 Bishop on Criminal Law, section 167, [22.]

The highest authority on criminal law in this country says:

There must in reason and in legal principle be in those localities where State power is unknown common law crimes against the United States.—1 *Bishop on Criminal Law, Section* 165, [21].

The act of Congress of February 27, 1801, extended and continued in force over the District the common statute law of Maryland where common law crimes existed, and organized a circuit court with the jurisdiction conferred on circuit courts of the United States by section eleven of the act of February 13, 1801. (2 United States Statutes-at-Large, 92; 2 Statutes, 103-105, sections 1-3.)

IV. *The doctrine that nothing is impeachable unless indictable by act of Congress is impracticable.*

1. Kent says:

The inviolability of any officer of government is incompatible with the republican theory, as well as with the principles of retributive justice.—1 *Commentaries*, 289.

And Story says offences against the nation—

Are of so various and complex a character, so utterly incapable of being defined or classified, that the task of positive legislation would be impracticable if it were not almost absurd to attempt it.—1 *Commentaries on the Constitution, Section* 797.

2. If only offences indictable by act of Congress are impeachable, the President and all civil officers will escape impeachment for many of the highest crimes. Murder, arson, robbery, and other crimes committed in the State are indictable by State laws, but cannot be made so by act of Congress. Upon this theory a highway robber may be President and follow his vocation, bidding defiance to impeachment.

PARLIAMENTARY CRIMES IMPEACHABLE.

The books present numerous cases of crimes held impeachable which are not indictable. Upon this law and with these facts before us the President is guilty of high crimes and misdemeanors deserving impeachment. An appeal has been made to this House to vindicate the national honor and declare that an attempt to subvert the government cannot avoid the penalties of the Constitution. Hastings escaped conviction, but not a patient trial for his crimes. Andrew Johnson, more criminal but more fortunate, has escaped a trial; in the haste to relieve him, almost without debate or hearing, his crimes have been ignored, and his triumph over Congress is complete.

Like Hastings, he will pass into history condemned and detested forever. I will not calculate the consequences of our failure to remove the President. It leaves him in the exercise of power to embarrass or defeat reconstruction on a loyal basis under our laws. It turns over to oppression, outrage, and wrong the entire loyal people of the South. It revives the hopes and may permanently establish in power the rebels and traitors who sought to destroy the nation. If the President, in the license of his unrestrained ambition and usurpation, shall not in the next Presidential election disregard our laws and recognize elections and electoral votes cast under the State governments of his creation, and inaugurate revolution and bloodshed to accomplish his purposes, the nation will be spared calamities and perils the consequences of which we cannot foresee.

National Anti-Slavery Standard.

WITHOUT CONCEALMENT—WITHOUT COMPROMISE.

NEW YORK, SATURDAY, JANUARY 18, 1868.

THE MASSACHUSETTS ANTI-SLAVERY SOCIETY.

THE Annual Meeting of the Massachusetts Anti-Slavery Society will be held at MERCANTILE HALL, Summer street, Boston, on Thursday, January 23d, commencing at 10 o'clock a. m., and continuing through the day and evening. The interests of the present political crisis will doubtless ensure a full attendance. The meetings will be addressed by Wendell Phillips, Rev. O. B. Frothingham, Rev. J. T. Sargent, Stephen S. Foster, William Wells Brown, Rev. Edward C. Towne, and others.

JOHN T. SARGENT, President.

THE NATIONAL ANTI-SLAVERY SUBSCRIPTION ANNIVERSARY.

THE LADIES' THIRTY-FOURTH NATIONAL ANTI-SLAVERY SUBSCRIPTION ANNIVERSARY will be held at Horticultural Hall, Tremont street, Boston, Wednesday, January 22d. The Hall will be open from 6 p. m. to 10 p. m. Tea, coffee and other refreshments will be found at the tables. Reading of select pieces by Miss Ellery. Singing by Ladies and Gentlemen. Addresses by WENDELL PHILLIPS and COL. HIGGINSON. Circulars can be obtained at Ditson's music store.

THE THIRTY-FOURTH National Anti-Slavery Subscription Anniversary.

THE managers of the National Anti-Slavery Subscription Anniversary summon their friends to another effort in behalf of that race for whose welfare so many years' labor has been given. This Thirty-fourth Anniversary will be held in Horticultural Hall, Boston, on Wednesday, January 22d, 1868. The aim, as heretofore, will be to give the AMERICAN ANTI-SLAVERY SOCIETY the means to continue its operations, and especially to sustain the publication of the NATIONAL ANTI-SLAVERY STANDARD.

Surely if there rested in any mind the slightest doubt whether our continued exertions in the old channels are needed, the events of the last three months must have dispelled it.

We see the President of the United States planting himself on the old idea of a white man's government, an idea which the nation has fought five years to crush. He upholds the policy of recognizing races and regulating our laws according to the supposed qualities of each—thus ignoring the cardinal principle of the civilization of which he is the official head. The negro is to be very graciously protected by the pity of the white man—not by granting him his rights or putting into his hands the means of defending them. We are not to treat him as an equal, but to dole out charity to him as a dependent.

This revival of old prejudice, this quickening of old feuds, is regarded by one-half the nation as sound statesmanship. The announcement of this creed in his Message has so strengthened the President's position that Congress dares not venture to impeach him. Such has been the criminal indifference and huckstering policy of the Republican leaders that, at length, the people themselves are, in some degree, confused and demoralized. An empty and servile press echoes the treason, and, if such a thing were possible, one might fear we were drifting back into the hateful and angry struggles which disgraced the Nation before the war.

While Congress fears to impeach a President confessedly guilty of high crimes, the great leaders of the Republican party seem ready timidly to hide themselves behind the fame of a successful soldier, with no pledge or claim that he shall support the policy which alone has led us to victory—the policy of exact justice and impartial civil rights. The North—Ohio, Connecticut, and the West—reeks with the old hate of the negro, and by fresh action pledges itself against him.

Doubtless there was an hour when all this could have been prevented. That golden opportunity—that moment, when the people, far ahead of their leaders, be sought them to "go forward"—was allowed to pass away. Earnest, devoted, strenuous effort is needed to regain, if possible, another such; at least to rally the Nation afresh to its duty.

Believing that the whole duty of the Abolitionists will not be done, nor the pledges of the Anti-Slavery movement re deemed, until the idea of race is eliminated from our civil life, until color is no proscription anywhere under the flag—and seeing with what a slender tie the dominant party is bound to this idea, and how ready the leaders are to loose it, we feel that every word we can utter and every effort we can make is needed *now*, before the great choice of next year, to secure all that can yet be saved of the harvest for which our husbands, sons and brothers gave their lives.

The eyes of the civilized world are upon us. The dead who gave their lives for justice claim of us a like devotion in this great cause. Let every one—those whom long years of toil have consecrated to this work and those whom present emergencies have baptized into it—let all rally with a fresh enthusiasm to sustain our Society by their personal activity and their pecuniary contributions. We need both. It is only by the labor of many hands so great a work can be done. For a hapless race now passing through a most perilous hour, we beg of all friends their utmost exertions. This last, this critical hour, when so much may be lost or that final seal set which secures all, let us unite in a strenuous effort to make the most of the opportunity bought with the blood of so many martyrs.

Those not able to be present to aid on this occasion and listen to the appeals of the zealous and tried laborers in our cause, may send their contributions to R. P. HALLOWELL, Esq., No. 98 Federal street, Boston, Mass. or to any of the managers resident in Boston.

ABBY KELLEY FOSTER, Worcester, Mass.
LYDIA MARIA CHILD, Wayland, Mass.
LUCRETIA MOTT, Pennsylvania.
SARAH SHAW RUSSELL, Boston, Mass.
LIDIAN EMERSON, Concord, Mass.
MARY GREW, Philadelphia.
ELIZABETH GAY, Staten Island, N. Y.
MARY E. SARGENT, Boston, Mass.
LYDIA D. PARKER, Boston, Mass.
CHARLOTTE L. FORTEN, Boston, Mass.
ANNA SHAW GREENE, Boston, Mass.
MRS. GEORGE L. STEARNS, Medford, Mass.
MARY M. BROOKS, Concord, Mass.
SALLIE HOLLEY, New York.
HANNAH B. SPOONER, Plymouth, Mass.
CAROLINE C. THAYER, Boston, Mass.
ANN GREENE PHILLIPS, Boston, Mass.
CAROLINE M. SEVERANCE, Newton, Mass.
MATTIE GRIFFITH BROWNE, Boston, Mass.
MARTHA LE BARON GODDARD, Worcester, Mass.
EMELINE T. SMITH, Cambridgeport, Mass.
ANNA D. HOLLOWELL, Medford, Mass.
SARAH COWING, Weymouth, Mass.
JENNIE G. GREENE, Milton, Mass.
ARMENIA S. WHITE, Concord, N. H.
RUTH BUFFUM, Lynn, Mass.
CAROLINE R. PUTNAM, Italy.
SARAH BRADFORD, Roxbury, Mass.
REBECCA BRADFORD, Roxbury, Mass.
SARAH J. NOWELL, Cambridgeport, Mass.
SARAH P. REMOND, Italy.
MARGARET P. SNOW, Fitchburg, Mass.
HARRIET W. SEWALL, Melrose, Mass.
EVELINA E. SLACK, Boston, Mass.
MARY C. SAWYER, Grantville, Mass.
SARAH H. SOUTHWICK, Grantville, Mass.
ABBY S. STEPHENSON, Jamaica Plain, Mass.
EDNAH D. CHENEY, Jamaica Plain, Mass.
ELIZABETH B. CHACE, Rhode Island.
ANNA TALBOT FAIRBANKS, Rhode Island.

FRANKLIN—GRANT.

THE language we used touching Franklin's influence on the money greed of some of his countrymen, has called forth criticism.

Except one melancholy attempt at wit in the New York *Tribune*—borrowed even at that—this eruption of cant seems to be confined to the Grant press. The character of the General is so eminently apostolic and evangelical, exhibiting such rare sobriety of life, such strict propriety of language, such devout tastes and habits—all inspired with heavenly-mindedness—that his supporters would be excusable if, in phrase and epithet, they were almost prudish. The exceedingly refined, ascetic, and even saintly peculiarities of their candidate excuse, if they do not indeed dictate, this demure imitation of what awkward Knickerbockers fancy to be Puritanism. The present purpose of the party itself, to save its money-bags in *coin*, even if "judgment is turned away backward and justice standeth afar off," is so exactly in the line of Holy Writ that we were not surprised at this delicacy and sensitiveness as to religious phraseology.

All readers of Swift know what sort of ideas *nice* men usually have. They swallow a camel of bad actions but strain out a gnat of plain words. "I could easily have escaped," said the wretch who picked the old pensioner's pocket, "but conscientious scruples prevented my travelling on the Sabbath."

Here is a man with a princely revenue and a more than princely title—conferred on him for what? That he may make the flag protect loyalty wherever it floats. No thanks to him that it floats in honor at New York or Boston. His soldiership is shown when loyal men are safe under it in Galveston and New Orleans. If we have indeed conquered Tennessee and Louisiana, then Memphis and New Orleans are ours. Grant's soldiership is proved when loyal men may walk those streets in safety. While in half the Southern cities loyal men hide themselves, and rebels, fully armed, stalk defiantly abroad, the Head of our Army is either no soldier or he is the willing tool of traitors. Imagine Wellington smoking at Tattersalls or any other horse-market, while Ireland was in such condition as the South is to-day! He never earned his "Iron Duke" by any such effeminacy. While Durant quits New Orleans because its streets are not safe for Union men—while riot rules Memphis and blood flows at New Orleans—while Union men, all over the South, hide themselves from rebels, Grant flaunts his undeserved title in the face of a disgraced nation, and filches his unearned salary from an impoverished people.

"But Johnson won't let him do his duty." Then do not let him take title and pay for a duty he is not allowed to discharge. But the excuse is sheer falsehood. If Grant had done at the time of the New Orleans riot—what Fremont or Butler would have done—gone to New Orleans and begun to do his duty, Johnson would not have dared to cripple him with restrictions. Had he done so, and Grant had returned to say to Congress and the country, "Union men were shot down in New Orleans because the White House would not let me do my duty," Johnson would have ceased to be President in thirty days. The same is true of Memphis and Texas. When through Grant's hands passed the report that Texas could be ruled only by martial law, and it was not instantly after *put under martial law*, Grant wrote "no soldier" or "traitor's tool" on his own record. We speak in earnest, for there is not a more disgraceful blot on our record—and that is a daring statement—than the nation's cruel desertion of Union men at the South. For this Grant is the front sinner. He, more than any other man, could have prevented it. Of him it is more emphatically true than of any other loyal man that he is responsible for it. The blood at Memphis and New Orleans will blight in history half of his Virginia laurels. If we were Grant we should feel more remorse for the Union murders of 1867, than pride in the Virginia victories of 1865. We should know ourselves more truly the cause of the first than of the last. General Thomas reporting several hundred Unionmurders in his District, all unpunished and most of them uninvestigated, and yet—Grant a soldier! Grant knows that ten of these promptly and thoroughly punished in each State would put an end to this state of things. The bullies would creep back into their dens. He knows that he has ample strength to punish these crimes. *Why* he does not punish them every man must decide for himself. If the reason be Mr. Johnson's opposition, Grant knows that, any time during the last two years, ten decisive words from himself would have obliged Johnson instantly to desist from his opposition and set the whole nation indignantly against him. Grant is ten times as strong as Mr. Johnson. Leaving those ten words unspoken is Grant's guilt. And it is this party, so greedy for office and so faithless to principle that it leaves the Barbara Frietchies and Robert Smalls to be victims of those it pretends to have conquered; these Jew leeches, intriguing to filch from the people all they covet, no matter whether it is in the bond or not—with their dawdling candidate, bartering blood for coin—it is this party who effect such horror at what they consider an irreverent phrase! Here is a party waiving justice and honor and content to stand behind a dumb candidate, neutral on all questions, provided greedy bond-holders will help elect him; a party which has sold out to the National Banks and Belmont, and like Pecksniff about to join swindlers, they cry "fie! oh, fie!" when things are called by their right names!

As for Benjamin Franklin—he and Sam Adams were the two greatest men New England ever produced. Hamilton and Jefferson excepted, they were the two ablest men the United States ever produced. One or two very ugly blots erased, Franklin was one of the purest men of our Revolutionary epoch, and deserves a place very near to John Jay. To him in his general influence the nation has reason to be deeply grateful. But his influence, in aggravating into a disease the natural Yankee love of saving, has been most harmful. Any one familiar with New England history knows this and rejoices at the large measure in which we have outgrown it.

Had we been writing a philosophical treatise we should have said, While the general influence of Franklin was marvellously good, his part in making "the dollar almighty" in New England is much to be deplored. But this, though dull enough to fit a newspaper article on Carey's theories, would never reach the people. Our rhetoric is learned from the New Testament. There a truth is nakedly stated; its limitations, qualifications and conditions left to the good sense of the reader. That is the only way to reach the mass. We regret if our form of expression has pained any worthy soul. But we rejoice that a vigorous phrase has gained attention from a people drunk with Grant and money-bags.

WENDELL PHILLIPS.

THE SUPREME COURT.

WE watch with profound interest the course of the Supreme Court, and the proposed action of Congress in that direction. As long ago as March, 1862, we called attention to the danger which lay hid in this Court. Then a large number of its judges were men appointed to office during the supremacy of the slave power and by its tools. We urged an immediate increase of the number of judges, so that the majority, appointed under the new *regime*, might insure approval of the war policy of Congress. We well remember the ready retort of THADDEUS STEVENS to the suggestion. "Increase the judges and let Lincoln appoint them!" "I'd rather risk the Court as it is." He judged correctly, shrewd critic of men and measures as he is, and frank as shrewd. It is Lincoln's heedlessness in his choice of persons to fill vacancies which makes the danger to-day. His judges turn the scale against us.

The danger is a most grave and serious one. We trust it will be met by Congress promptly, fearlessly and wisely, and that sufficient, indubitable safeguards against it will be provided at once.

WENDELL PHILLIPS.

WE hope none of our New England readers who can be present, will fail to attend the Annual Meeting of the Massachusetts Anti-Slavery Society, which is to be held in Mercantile Hall, Boston, on Thursday next, day and evening. The Ladies' Anual Subscription Festival which is to be held the previous evening in Horticultural Hall, promises to be an occasion of unusual interest. We hope many Abolitionists beyond the limits of New England, if unable to be personally in attendance, will be represented at the Festival by letters and generous contributions. The perils which attend our cause at the present hour render apparent the need of continued vigilant effort, and full, hearty co-operation.

GEN. GRANT has acted with eminent propriety in giving way to Mr. Stanton, thus saving all the trouble that his attitude can save to the Congressional party. Let him have all and liberal acknowledgment. But let Radicals remember that Sherman or Trumbull or Fessenden would have done the same. Nevertheless, no one would trust either of them in the White House.

GOV. BULLOCK nominates B. F. Thomas to be Chief-Justice of Massachusetts. Mr. Thomas is a blatant, shameless Copperhead, who has put on record, by speech and vote, his vigilant, ceaseless opposition to every loyal measure. The Boston papers seem surprised at Gov. Bullock's action. Knowing the Governor well, we are only surprised at their surprise. "Conciliation" has been so much in fashion toward men who betray their party, that we fancy Gov. Bullock, who is a third-rate man and weak in his party roots, imagines he shall strengthen his chances for future office by betraying his fellows. It is a shrewd calculation. We hope, however, it will prove a mistaken one. While big traitors smash all webs, little ones get caught in them.

PERSONAL.

William Wells Brown delivered an eloquent address at the recent emancipation celebration at Troy, N. Y. upon the heroism and fidelity of colored men during the rebellion.

Mrs. James G. Birney writes from Geneva, N. Y.: "Wendell Phillips lectured here a short time since. He had a full house and an attentive audience. We were very much pleased with him. He is a fascinating speaker, and truly eloquent—so clear in all his points."

Joseph A. Dugdale we observe has recently been engaged in holding childrens' meetings in various towns in Iowa and Illinois, which have been numerously attended. In the Mount Pleasant (Iowa) *Journal* he is writing a series of sketches entitled "Reminiscences of a Quarter of a Century Ago," in which are embodied many anti-slavery incidents.

The Boston *Transcript* of the 14th inst. in a notice of Miss Ellery, who is to read at the Ladies' Subscription Festival on Wednesday evening next in Horticultural Hall, says:

"Miss Ellery's readings at Chickering Hall last evening gave great satisfaction to a large and discriminating audience. This young lady has a decided talent, and comes to us well recommended. Her readings are of a high order. It is rarely that we hear public recitations so fully representing the force of the writers from whom she selects, and so free from the mouthing affectations of too many so-called elocutionists. Gifted by nature with a fine clear voice, she intonates her various pieces with a fine dramatic effect. Her rendering last evening of 'Lady Geraldine's Courtship'—'King René's Daughter,' and other pieces, was highly creditable. This class of literary recreations deserves liberal encouragement from the public."

Baron Charles Marocchetti, the celebrated French sculptor, who died recently, was born of French parents at Turin, in 1805, and was educated at the lycée Napoleon at Paris. He then entered the studio of Bosio, but in the examination of the school of fine arts, he received only an honorable mention, and made the journey to Italy at his own expense. In 1827, he returned to France, and the same year exhibited a "Young Girl Playing with a Dog," which received a medal, and was offered by him to the King of Sardinia. In 1831, he exhibited his "Fallen Angel," and, about the same time, executed for the Academy of Fine Arts of Turin a statue of Bishop Morsi, and, without any reward, an equestrian statue of Emanuel Philibert. The latter was his greatest work, and was the only thing sent by the artist to the Paris Exhibition of 1855. In 1839, Marocchette was made a chevalier of the Legion of Honor. He afterwards executed the bas-reliefs for one of the triumphal arches of Paris; the monument of Bellini, the composer; the statue of La Tour d'Auverne for the town of Carhaix, and the grand altar of the Madeline in Paris, besides other works. In 1848, he went to England, from political causes, and continued in that country until his death. At the Great Exhibition of 1851, he exhibited his model of "Richard Cœur de Lion," which has since been executed in bronze by a national subscription, and a colossal model in plaster was placed in the Palace Yard. Among his late works are an equestrian statue of the Queen, executed for the City of Glasgow in 1854; an obelisk in granite to the memory of the soldiers who fell in the Crimea, 1856, and the Mausoleum of the Princess Elizabeth, daughter of Charles I., 1857. M. Marocchetti contributed his share to the national worship of the late Prince Albert, by a portrait bust of his Royal Highness, among the great number of busts executed by him during his residence in England.

George W. Smalley, in a London letter to the *Tribune*, dated Dec. 28, says:

"Mr. Carlyle, say the papers, has been made a Justice of the Peace for his native county of Dumfries in Scotland. It is more interesting to know that of late he is in better health and spirits. Much relieved, reports one friend who saw him on Monday, by the clearing of his mind in the Niagara article. He is further reported as saying that he never saw or heard of anything so extraordinary in its way as the picturesque-dramatic power of Mr. Dickens in his readings. Mr. Dickens, in some characters, said his philosophic observer, *costumes his mind* with a completeness that is absolutely perfect. This puts it into my head to tell a little story which I long since heard. How one evening the great novelist was reading, I think, the trial scene in Pickwick, to an audience of rank and fashion, and all that in London. Presently rank and fashion began to have their attention drawn to an explosive merriment in one part of the hall. On the front bench sat a tall man, blue-eyed and gray-haired, who ever and anon swung his steeple-crowned felt hat forcibly down on his knees, bursting into peals of such inextinguishable laughter as the Gods on Homer's Olympus when they beheld limp-footed Vulcan halting round the circle as cup-bearer. Rank and fashion were inclined to be shocked at this unconventional mirth, but by and by the whisper went round that he of the steeple hat was no other than Thomas Carlyle of Chelsea, and for the rest of the evening Mr. Dickens had but a divided attention from his reverently wondering audience."

Our Boston Correspondence.

BOSTON, January 13th, 1868.

AFTER an opportunity of profiting by sober second thought and friendly criticism, the Old South Church have mounted a granite slab over the front door of their meeting-house, as a perpetual reminder of the fact that the building was

"Desecrated by British Troops 1775-1776."

The type of religion ruling there does not seem to include love to enemies, and they take the risk of systematic vindictiveness now, just as they took the risk of systemetic pro-slavery in the years gone by. It remains to be seen whether they themselves or the deceased British Troops will be more effectively pilloried by the above inscription.

Speaking of pro-slavery, one of the most conspicuous representatives of it in New England has lately died, Bishop Hopkins of Vermont. Episcopalians generally acquiesced in slavery as a thing "established," and so tolerable, if not venerable; but Bishop Hopkins, having a strong resemblence to the chivalry of Virginia and South Carolina in other respects, was always ready actively to contend in behalf of their "peculiar institution." He maintained it on principle, like Drs. Lord of New Hampshire, and South-side Adams of Massachusetts, and probably, like them, thought worse of his own State for not having it in force there.

Among the backward steps of the present period of reaction here is the nomination of Benjamin F. Thomas, by Gov. Bullock, for Chief-Justice of the Supreme Court of Massachusetts, in place of Judge Bigelow, lately resigned. The *Commonwealth* tells the Governor that such a nomination is not merely unpopular, but so grossly unfit as to excite indignation among the Republican party, especially as Judge Rockwood Hoar, the present senior Judge, is in every way more competent for that station.

The unfitness of Judge Thomas on moral as well as on political grounds is shown by his past record. While in Congress, he was opposed to the repeal of the Fugitive Slave law; and June 9th, 1862, he voted to lay on the table a motion to instruct the Judiciary Committee to report a bill repealing it. He denied the constitutional right of Congress to abolish slavery within even exclusively national jurisdiction, without giving compensation to masters. In a speech delivered May 24th, 1862, he denied the right of Congress to emancipate even the slaves of rebels, except such as had been used in the rebellion. July 11th, 1862, he opposed all his colleagues by voting against the Confiscation act. December 2d, 1861, he voted against Mr. Eliot's resolution in favor of a proclamation of emancipation; and throughout the war, and ever since, he has steadily opposed the course dictated by sound principle, justice and humanity in regard to reconstruction.

A fine Chief-Justice this for Massachusetts! But looking at the matter reasonably, what else can we expect from Republican officials but a continuance of the Republican policy of compromise? Gov. Bullock was chosen Governor by compromise, and the functionaries of the Republican party generally have been and will be chosen on that same footing. Has the party a monopoly of this method of operation? and shall not its individual members, as soon as they gain office, use this same method to advance *their own* purposes. There is abundant precedent for the practice of making friends of the mammon of unrighteousness; and if Gov. Bullock and Senator Wilson can profitably pursue this policy, why should they be complained of. Certainly, the Republican party have no right to complain of them.

Judge Thomas, however, though nominated, is not yet chosen. The consideration of his case will come up in the Executive Council on Wednesday next. In the meantime, it is significant that a remonstrance against the confirmation of Judge Thomas is in circulation among the colored people of Boston and vicinity, the objection being that they consider him incapable of dealing impartial justice to their race.

The sudden death, by apoplex

on methods of cataloguing, gave general information respecting libraries, and prepared a catalogue of the Smithsonian library after an improved method of his own.

When the Boston Public Library was formed, its founders applied to Mr. Jewett as the best representative of bibliographical skill in the country, and he was chosen Superintendent of that institution. Here he had in charge the reception, classification and arrangement of the vast numbers of books (now numbering 136,000, exclusive of pamphlets) which came to the library from various parts of Europe; the formation of lists of works yet needful for the enlargement of different departments, and the preparation of catalogues; all which labors were subject to constant interruption by calls for his aid to students in all the varieties of literature and science, always freely and courteously given. He was, indeed, as the President of the institution said, in himself a library of useful information, and the system and order he established in the affairs of the Boston Public Library, as well as the three catalogues which he prepared of its contents, are so admirable as hardly to admit of further improvement.

On Sunday evening there was delivered, in Fraternity Hall, the first lecture of a a second series of Radical Lectures on Religion. This was by Rev. Samuel Longfellow, on The Universality of the great ideas of Religion, namely--God, Duty, Benevolent Love, Immortality. The speaker produced evidence from the Scriptures and authors of many nations preceding Christianity, to show that correct ideas upon all these subjects had been published in many lands before the time of Jesus, and taught that, instead of the revelations of God being limited to spasmodic exertions of miraculous power within a part of the historic period of a single nation, God has been and is *always* revealing Himself, in every part of the earth, wherever eyes and ears are open, and a loving, trusttul heart is ready to recoguize Him. It was also mentioned as a curious fact that the people who most zealously maintain that Christianity is the only true religion, and most persistently strive to monopolize the name "Christian" for their own theological party—have been pre-eminent corrupters of religion; since they mingle idolatry, polytheism and mythology with pure spiritual theism, and offer this monstrous mixture to their hearers as a symmetrical whole.

NORTH.

Our Washington Correspondence.

WASHINGTON, D. C., January 14, 1868.

At last we have some decisive action, so far as it goes. At last the nation's hopes may have a chance to bloom again. At last a fair and courageous promise dawns upon our misty, uncertain path. Congress has acted in the right direction, and with praiseworthy unanimity and vigor, though it may be late in the day. You should see the personal results of doing well as exhibited in the faces and speeches of Republican members this morning. During active hostilities it was the devilish directness of the Southern spirit which compelled our administrators to move forward in the right path. So now, while all the rebels' treacherous craft centers in and around Andrew Johnson, it is tneir even more malevolent designs and daring action which at last arouses the Republican leaders to a sense of their and the nation's great danger. Almost unchecked, they have allowed Andrew Johnson to drag them to the brink of that chasm where yawns surrender of the war's results or a threatened revolution. We are grateful that they will not accept the former and do not seem to fear the latter. Late as it is, as many advantages as their timidity have given Andrew Johnson and his myrmidons, they need not fear the latter, for the two million men who fought for the flag, yet stand ready to maintain what they won under that flag.

I must first give the last piece of news we hear. It is too good to keep to the end of my letter. Edwin M. Stanton resumed his place in the War Department at ten a.m., Gen. Grant retiring gracefully, and there is no doubt gladly, from the *ad interim* duties which he unnecessarily assumed. The President is, it is understood, in a fearful rage. The report is generally credited that soon after the Senate meets, the President will boldly attempt nullification, by sending in the name of some new man for the Secretaryship, at the same time naming some subordinate as the occupant *ad interim*. Gen. Thomas Ewing, Jr., of Kansas or Ohio (I don't know which he now hails from), it is supposed will be the Presidential nominee. The two day's debate over the report of Senator Howard, is reported to have been vigorous and pungent. There is no doubt that it has tended to increase faith in the policy which dictated the Tenure of Office law. Trumbull and Fessenden, who were deemed to doubt its constitutionality, both sustained and voted for the reinstatement. The truth is that Mr. Johnson has compelled the Republican party to unity and to courageous action also. Yesterday shows that we were not entirely demoralized. Mr. Stanton's occupancy of the War Office insures the passage through the Senate (as a matter of self-defence) of the bill passed yesterday by the House, requiring the consent of two-thirds of the Supreme Court before a law can be declared unconstitutional. The President will endeavor to make out of the Stanton matter a case on which to test the constitutionality of the Tenure of Office act. His friends claim a majority of the Court in his favor against any of the preventive measures with which Congress has found it necessary to hedge in the Executive office. The Senate having for the third time so solemnly committed itself to the principles involved in the law to be acted upon, will not be likely to allow one old lawyer, whose chief virtue is a Chinese one—that of obesity—to decide against them. The least they can do is to declare that, in exercising its powers of constructive legistation, the Supreme Court shall not give an adverse decision without six judges concur.

The scenes yesterday in the House of Representatives were animated in the extreme. Of late, disgusted at the halting and evasive policy displayed, I have refrained from watching the debates, contenting myself with reading the paltry records in the morning papers. But having learned of the intended presentation of a Reconstruction bill, I found myself within the marble walls of the Capitol, a decidedly pleased listener to the splendid discussion which occurred over the bill fixing the number of judges required to decide upon the constitutionality of a law. Mr. Bingham said much that deserves hearty applause, and went far to wipe away the crochety record which he has made during the past two years. It is significant that the bill passed yesterday was supported in speeches only by those who have been termed Conservative Republicans. Bingham and Spaulding conducted the debate. The former recalled the most splendid of those efforts he made in former days when the South dominated here. There were two important avowals in his speeches. These were a frank declaration that the Supreme Court had nothing whatever to do with the question of reconstruction; and further that the loyal States alone were the only States entitled to amend the fundamental law, while there were others "out of their normal relation to the Union" by reason of treason and continued seditious spirit. Perhaps a third declaration might be added to these. That was, that the laws of Congress governed, in all details, the actions of the Supreme Court. It was noteworthy to the observer how the partisan necessities of the bogus Democracy have driven them into defence of the highest pretensions ever made for a Court, against the character of which all the great lights of Democratic opinion in the past have fulminated so vigorously.

Probably the special motives which have aroused the zeal of Republicans, may be found in a report generally credited, that the Supreme Court have, in an informal but conclusive manner, decided the question. Last Summer the Court refused to entertain a motion entered by Gov. Snarkey. In rendering the decision (which involved the question whether Mississippi is a State or not, as at present organized), the Court reserved its reasons. During the recess the Chief-Justice prepared the opinion, taking the opportunity to announce the constitutionality of the Reconstruction acts which were only indirectly involved. On submitting it to his colleagues, five of them voted against having this go as the opinion of the Court. Of course this he explained on the idea that they did not desire to sustain an extra-judicial opinion. But the names of those who voted are pretty conclusive of the views entertained. Those who sustained the Chief-Justice were Justices Swayne and Miller.

The debate on the Reconstruction bill is in progress. The vote is to be taken to-morrow. In some respects the bill of Mr. Bingham is the boldest measure yet introduced into Congress. The first section is a square planting of Congress as the representative sovereign power of the Nation, in the path of Executive usurpation and judicial sustaining of reaction. It says directly that reconstruction is a political question, the settlement of which lies only within the powers of Congress.

But in this day and hour there can be no measure free from Presidential intrigues. The District Commanders have had for a long time the power to remove disloyal civil officers—uncivil ones would be a more correct term. With the exception of Sheridan, scarcely any of this power has been exercised. This forbearance has worked great harm to reconstruction. Now the Constitutional Conventions are pleading for the opportunity to fill these offices with loyal men. Their plea is right, but the politicians fear they might fill the positions with men too radical in opinion. Mr. Bingham is a pronounced Grant man and has been for more than a year. The sections of the bill relating to the military administration of the South, and that which allows Grant to fill the offices, are evidently designed to accomplish the filling of them with men favorable to the General's nomination. Yet even this is a beneficial change, because it fixes the issue and responsibility, and brings a decided collision or surrender of one side or the other, between Grant and the President.

The tide has turned. It will not be surprising if before reaching its flood, impeachment shall again be afloat, sailing this time to its destined harbor.

ASMODEMUS.

SHOOTING NIAGARA; AND AFTER.

BY REV. BERIAH GREEN.

NO. V.

"To me, individually, the Nigger's case was not the most pressing in the world, but among the least so. America, however, had got into *Swarmery* upon it; and felt that in the Heavens or the Earth there was nothing so godlike or incomparably pressing to be done."

Hence, according to Thomas Carlyle, the late civil war in this country; the *object* of which *he finds* in the hot and stiff determination of the Federalists to emancipate the slaves in the Confederacy! And this whole enterprise he, raving like a maniac and scolding like a fishwoman, describes as ridiculously absurd and ruinously hurtful. In all this he falls foul, wantonly and flagrantly, of the verities of history.

The Federalists fought, forsooth, for the emancipation of the slaves of their Confederate antagonists! In disposing of the "Negro's case," the Cabinet, the Congress, and the Captains were altogether and avowedly in full harmony with Mr. Carlyle. It was with them as with him, "the least pressing in the world." According to their own distinct and emphatic avowal, it had with them not the weight of a straw. And all this, very distinctly understood by very prominent figures among the Abolitionists, did not at all prevent them from giving to the war for the Union (in the language of Daniel Webster, describing his attitude in relation to the Fugitive Slave bill), "the fullest support, the fullest support." And all this is so obtrusively and widely notorious, that if Mr. Carlyle is here in ignorance, he must have borrowed a pair of ears from those who are incurably and intensely *deaf because they will not hear*.

Where among the Federalists could Mr. Carlyle find an Abolitionist whom he would pronounce more "frantic" than *Gerrit Smith*? To the war, he avowed in the strongest terms the utmost devotion. The rebels, as he stigmatized the Confederates, must be put down at whatever expense of blood and treasure. But did his martial enthusiasm spring from any "frantic" zeal for the emancipation of the enslaved negro? A fit and full answer to this inquiry may be found in a speech of his in Montreal, in December, 1863: "The North is *not* prosecuting the war for the overthrow of slavery. The government has aimed simply to suppress the rebellion and preserve the nation. This has been its only object, and whenever it has touched slavery it has been but to subserve and secure this object." And in another paragraph, "THE NORTH IS FIGHTING FOR EMPIRE."

In his letter to Horace Greeley, August, 1862, *President Lincoln* declares with marked emphasis: "*My paramount object is to save the Union, and not either to save or destroy slavery.*" "What I do about slavery and the colored race, I do because I believe it helps to save this Union; and what I forbear, I forbear because I do not believe it would help to save the Union."

In addressing the American Minister to France, in April, 1861, *Mr. Secretary Seward* gives utterance to the following assurances: "The condition of Slavery in the several States will remain JUST THE SAME, whether the revolution" (so he styles the attempts of the Confederates to establish a distinct nationality) "succeed or fail." "Their constitutions and laws, customs, habits, and institutions will, in either case, remain the same." *Mr. Sumner*, greatly eminent among the professed friends of freedom in Congress, occupied in an address to the citizens of Boston much the same ground as is described and commended in the passages I have quoted from Mr. Smith's speech in Montreal. And this ground was cultivated with terrible effect by the Captains of the Federal army. In some instances they inflicted the most revolting cruelties on slaves who, escaping from Confederate masters, had found their way to the Federal troops.

The war grew out of just such a policy as Mr. Carlyle eagerly avows as worthy of all confidence. The North and the South—priest and politician, the judge on the bench and the Irishman with his hod—men, women and children in overwhelming majority, united with Mr. Carlyle, down to the commencement of the war, in pronouncing slavery "the best of all conditions for the negro." His case, therefore, they regarded as "the least pressing in the world." They were unanimous, with the fewest exceptions, in leaving him as a "chattel personal" in the hands of his pretended owners, without the faintest solicitude or the slightest inquiry. They joined each other in hating the Abolitionists as intensely and bitterly as Thomas Carlyle himself. These were worthy, in the general estimation, of legal penalties, or the violence of infuriate mobs; and never more so than in 1860 and 1861, just before the civil war broke out. A war for emancipation! Were Abolitionists placed at prominent and commanding positions in the Federal army?

Carlyle's policy was the viper's egg out of which the war was hatched. Slavery was a most absurd, malignant, and violent assault on Justice; and Justice wields sovereign tendencies which cannot but work the overthrow and destruction of all opposition, however supported and applied. *Hence*, the war; as at length is very generally in some sort seen and in some sort acknowledged, in this country.

I once supposed that Thomas Carlyle was painstaking, conscientious, reliable as a reporter of the facts, he might arrange and record for the benefit of his readers. In the essay to which this paper so freely adverts, however, he seems utterly regardless of the veracities of history, to have drawn very largely and unscrupulously on a hysterical imagination.

BERIAH GREEN.

LETTER FROM MISS SARAH E. WALL.

WASHINGTON, D. C., January 12, 1868.

To the Editor of the Standard:

IF Americans are a vain-glorious people they are not certainly a proud people, as a visit to the National Capital will testify. If the mud in the Winter season is terrific, the dust and dirt of the Summer season is no less disgusting. So much has been done to civilize the city within the last three years, that it may seem unjustifiable to complain now, except in the presence of those whose patience has been tried by getting "stuck in the mud" to look after those whose idleness is the cause of their poverty, and for whom the claims of justice demand that they should be furnished employment to render them self-supporting and self-respecting, rather than become demoralized by eating the bread of charity. Even on the brick pavements, the snow is suffered to remain until a genial sun shall melt it away, when a walk on any of the streets is far worse than the street-crossings of the North; and the street-crossings here—self-respect enjoins silence. Yet Congress appropriates its fifteen thousand a year to keep from starvation the thousands of destitute colored people who are thrown upon our sympathies, because they cannot get the work by which they would gain an independent livelihood, and take their places side by side with respectable whites.

This is the fourth winter which has witnessed the same spectacle of poverty and degradation, and the nation cannot afford to see it repeated much longer. No people, black or white, can be elevated so long as they are in a position which forbids them to respect themselves. The temptations to deceive which are unavoidable in a system like this, are too strong to be resisted when starvation rears its skeleton fingers.

It is time to substitute justice for generosity. If the churches of the North would make one-half the effort to secure the rights of the freedmen that they have shown to minister to their physical wants, and would labor as persistently for the cause of temperance among them as for the salvation of souls, they would soon see an end of the need of charity and the whole of this vexing question. Let Congress banish the rumshops, and make appropriations to be paid to this class for cleaning the city, clearing the pavements and street crossings, washing the steps of public buildings so long as the filthy juice of tobacco is permitted to desecrate them, and then let no distinction of color be made in employing laborers for the public works, and we should soon witness a very different aspect, both physically and morally, in this great thoroughfare of the nation.

It is impossible to gain any great degree of respect so long as it is corrupted by the presence of Andrew Johnson and his myrmidons. How many more ordeals must this country pass through to learn the first principles of morality and virtue?

Members of Congress make their stirring appeals in the cause of temperance, and then make their long and elaborate pleas for Gen. Grant for the next President, of whom rumor says he likes to tarry at the wine-cup. The great virtue of Abraham Lincoln was his temperate life, and it would be well for the host of his admirers to show their appreciation of his worth by nominating a man as his successor who followed his example in the one point of character without which he would not have been Abraham Lincoln.

S. E. W.

HON. ROBERT DALE OWEN will lecture before the *Pennsylvania Peace Society*, Washington Hall, Eight and Spring Garden streets, JANUARY 22d, 1868, at eight o'clock. Subject: *The Law of Kindness, Historically Considered.* Tickets 25 cents—admitting a gentleman and two ladies, 50 cents. Joshua Hutchinson will be present and sing.

HENRY T. CHILD, M.D., Secretary.

THE STANDARD.

UNION SPRINGS, N. Y., Dec. 30, 1867.

MY DEAR MISS HOLLEY: Inclosed you will find $2 00, in payment for THE ANTI-SLAVERY STANDARD.

I like the paper much. It is refreshing, amidst all the dodging and squirming of so-called "Republican" sheets, to find one organ that is fearless, and that will not go out of its way to "prophesy smooth things." Would to God we had more Phillipses to ventilate the corruption of modern politics!

I think God has a great mission for this nation to perform—otherwise I should despair of its surviving all its severe attacks of *party*. Certainly its discipline of sorrow is not yet ended, if it has not learned the grand lesson that, "only the right is acceptable with God," if it thinks to cheat justice with the help of scheming politicians and yet prosper. I have no hope of either party now in the field, and do not mean personally to bear the yoke of *any* party. God speed all who are for universal justice. The future will reverence those whom the present hates and scorns.

Fraternally yours, A. FREEMAN BAILEY.

LOYALTY BEFORE THE SENATE

From the Alexandria (Va.) State Journal.

THE test of patriotism, which sent a million of soldiers to the field, and three hundred and twenty-five thousand of them to the sleep which knows no earthly waking—which imposed a burden of debt upon the nation well nigh inextinguishable in the life-time of this generation—which has been the key-note of all our national legislation—the universally required criterion of official fitness, until Andrew Johnson proved recreant to his own vindictive denunciations of traitors and his own impassioned avowals of preference for loyalists, is now on trial in the Senate of the U. S., in the question of admitting Philip J. Thomas, the Senator elect from Maryland. We have not seen the evidence submitted in the case, but upon the conceded facts as to his having furnished aid and comfort to the enemy, by giving his son one hundred dollars just on the eve of his departure from his father's house, avowedly to enter the Confederate service, we cannot see any shadow of doubt as to his disqualification. Nobody questions that this money, furnished any other person under the same circumstances, would be aid and comfort to the enemy. It would enable them to get a new recruit from Maryland by providing for the wants of that recruit while in transit through the lines, and until he could reach the destined camp. But for such provision, he would or might not be able to overcome the difficulties lying in the way; he might not be able to sustain his nature long enough without such resource, to get within the Confederate lines, and consequently, be compelled to turn back. This would be the pinching spot, and covering this spot with a hundred dollars, makes perfect and effective the proffer of aid and comfort to the enemy. Mr. Reverdy Johnson's advocacy of Mr. Thomas's right to a seat, impliedly admits the force of this argument as applied to a third person, but insists that it is inapplicable to Mr. Thomas, because of his parental feelings for his son. These, in the opinion of Mr. Johnson, and we notice, of some other saccharine-hearted Senators also, are believed to furnish a justifiable motive for Mr. Thomas. We utterly condemn any such maudlin excuse. It has not the dignity or the merit of a justification, and we apprehend the Hon. Senators would think so too, could they only know that their own sons, neighbors, or friends, had fallen by the rifles officered by this young, hot-blooded secessionist from Maryland. This is the great fact overlooked in the case. Young Thomas was an avowed, outspoken secessionist, thirsting to draw his sword in behalf of the Confederacy, determined, although a minor and under the absolute control of his father, to run away and join the Confederate army, *all of which was well known to his father!* It was doubtless the misfortune of Mr. Thomas, being a loyal man and patriot (?) to have reared such a wayward boy. But being such a father, what did he do? Did he use his rightful authority over him? Mr. Johnson admits that he did not. He says: "he did all he could, short of actual force, to prevent his going. God and nature had put it out of his power to refuse to do what he did in order to save his son from imminent peril, perhaps death." We submit "God and nature" did no such thing. On the other hand, "God and nature," and a just sense of patriotism gave him ample power to secure his madcap boy, and hold him back from his murderous mission to the Confederacy. Did he use it; not at all! We are told he appealed to him; he told him even of the perils and dangers of the way, and when he found him bent on encountering the "imminent peril," he formally put in his hand one hundred dollars to carry him through. One fine morning at peep of day, this act of parental, and we may add, of patriotic abnegation was expended on this belligerent youth, and he was dismissed we doubt not, with family, if not parental godspeeds. We submit that the acts of the Senator elect, upon the conceded facts of the case, speak louder than his words. If he yielded to parental sympathy, he allowed it to implicate him in an awful, guilty conspiracy against his government, and that is his own personal fault and responsibility. We trust the Hon. Senate will not cover up disloyalty with so flimsy a veil as is offered in this case.

OBITUARY.

MILTON BARLOW.

NEAR BROWNSVILLE, N. Y., Oct. 26th 1867, died MILTON BARLOW, Esq., at an advanced age, being not far from eighty. He was a fine scholar for his time; was a great reader and a deep thinker. He was educated for the law, but finding the practice of his profession distasteful, gave some of the best years of his manhood to teaching. He was deeply thoughtful on religious topics, and strongly *intrenched* in his peculiar views. The popular religions, and the noisy and boastful professions of his day, were his great aversion; but there was exhibited in his life a strong moral sentiment, a deep undercurrent of love for nature and humanity.

JONATHAN WRIGHT.

JONATHAN WRIGHT was born in Keighley, Yorkshire, England. At the age of seventeen he studied the theology of Emanuel Swedenborg, and at twenty-two took an active part in organizing the Bible Christian Society (now known as Vegetarian), abstaining from all use of animal food. He at the same time bore the name of Radical, for being an uncompromising opponent of the Corn Laws. In the year 1821 he emigrated to the United States, settling in Philadelphia, immediately connecting himself with the Vegetarian Society of that city by becoming a member. Shortly after he was elected Treasurer there, which office he filled until removed by death, a period of more than forty-five years. He was one of the earliest advocates of the temperance cause, and an active friend of the negro, opposing slavery in every form. He voted the Abolition ticket in the district of Northern Liberties in the early trials of the movement, when but one vote beside his own was cast for freedom in that large and populous election precinct. He was a consistent, energetic, and thorough reformer, and a determined defender of the Equal Rights of man. He filled many important positions of honor and trust, retained all his faculties until, worn out by incessant labors, he was called away by his Maker, dying, lamented by all who knew him, a peaceful death, at the ripe age of seventy-eight years.

R.

JACOB PEIRCE.

DIED, in Philadelphia, on the 19th of Dec., JACOB PEIRCE, aged 78 years.

This announcement will recall to many of the readers of THE STANDARD a true and earnest friend of the Anti-Slavery cause in its earliest days, a man remarkable for the sternness of his integrity and the gentleness of his manners; whose quiet, unostentatious benevolence was ever active, and flowed to all within his reach, without distinction of color or rank. Though he was chiefly occupied with scientific pursuits, he did not shut himself up to selfish enjoyment of them, but constantly sought to share his knowledge with others whose opportunities for study and research were unequal to his own. Especially did he seek to open to colored youth the avenues to learning so long and persistently closed to most of them; and in such efforts he did not labor in vain. In promoting the education and elevation of his fellow-men, and especially of that class of them who were unjustly denied their social and political rights, he found a life-long pleasure. Even at the advanced age of seventy-six years he travelled through a portion of our Southern country, for the purpose of visiting the freedmen and their schools, and so deep was his interest in them that he remained in North Carolina several months, and employed himself in instructing and helping the people for whose emancipation he had so long labored at home.

Residing alternately in Philadelphia and in Kennett, his influence for good was felt in both places, and in both he will be long remembered by many who were the recipients of his kindness, and who appreciate his virtues.

M. G.

FROM the agent for this city, J. P. Dinsmore, 36 Dey street, we have received some of their *Carter's Combination Ink*, which, from the specimen presented, we should judge worthy of the numerous testimonials in its favor. It possesses that desirable property, jet blackness of color, flows freely from the pen, and promises to become a general favorite with the public.

THE London Apothecaries' Society, so far from having absolutely excluded women from its diploma, is said to be at present bestowing not only its closest, but its most favorable attention on the subject, and the Society possesses a considerable majority in favor of enlarging the medical profession so as to include women.

LITERARY.

MORNING GLORIES AND OTHER STORIES. By L. M. Alcott. Boston: Horace B. Fuller.

We congratulate all the children among whose Christmas treasures, the good Santa Claus has placed this book of charming stories. Flowers and children, by their graces and their needs, are so naturally associated that it is fitting for flowers to be invested with children's natures, that thereby the little ones may see themselves as others see them. Nothing could teach more beautifully, a lesson of industry and gentleness and meekness, than the experiences of the three little Roses—Blush, Brier and Moss. The lessons of all these stories are noble, the imagery charming, and the writing fresh and original. We instinctively ask for more from the pen of one who understands little children so well, and who has such power to please them and help them to be good.

GOOD STORIES. Parts II. and III. Boston: Ticknor & Fields.

Of the object of these publications, the publishers say they have in mind the need of travellers for a class of reading that does not demand a quiet library for its enjoyment. The size of the books, and the length of the stories are well suited for travellers by car and steamboat. Among the writers are the author of "Life in the Iron Mills," Fitz James O'Brien, Hawthorne and Heinrich Zschokke.

The London *Spectator* says of the President's Message—

It was probably not written by the President, but it is to his credit to have accepted a document which so ably defends his own most dangerous views. It would be difficult, for example, to put in a neater form the arguments which present themselves to a moderate Southerner against universal negro suffrage. It is quite true that the negro is scarcely fitted for the suffrage; that he is less fit than the foreigner, from whom the law demands five years' residence previous to the exercise of his vote; that the complete ascendency of the negro must be injurious to a civilization which ought to be based on his alliance with the white man. But Mr. Johnson forgets altogether to answer the argument that the suffrage was bestowed upon the negro as the only guarantee for his civil rights, which the Southern States, left to themselves, would not have secured. They would, it is true, have abolished slavery—that is, sale by auction—but they would have compelled him to labor by exceptional laws, would have prevented him from holding land, would have shut off all chance of attaining social equality. They would, in fact, have rebuilt, on a basis of negro subordination, the system of society formerly based on negro slavery, a system which has been proved to be incompatible with the very existence of the Union. The whole effect of the war would have been surrendered unless the negroes' rights were thoroughly guaranteed. They might have been guaranteed by another, and as we think, much wiser alternative—the government of the South for a term of years on the East Indian principle, through agents absolutely impartial as among races, supported by irresistible military force, but forbidden to interfere with personal freedom. Such a government might in twenty years have taught the two races how to live together, have protected accumulation till wealth indisposed both for violence, and have enabled both to discover, by experiment and practice, what relation suits them best. That relation might have been, as in Bengal, legal equality without social intercourse, or as in Egypt, legal equality with social intercourse; but in either case it would have been settled peacefully and permanently, with possibilities of improvement for the masses, and with open careers for all individuals. But then such a government, to exist, must be military, and Mr. Johnson denounces military government more vehemently than negro suffrage. He declares that government an "usurpation," and usurpation the most dangerous of political crimes, calls on Congress to abolish the acts establishing it, and declares the whole body of them as unconstitutional as it is possible for acts to be. He will not have negro suffrage, he will not have military occupation, he will have nothing except a restored Union as it was, that is, a South divided into eleven States, in each of which one-half the population can pass any laws they please for the regulation and subordination of the other half. He wants to end war without securing the objects of war, to make peace without enforcing terms of peace, to readmit enemies not only to equality but to sovereignty, without guarantees that they will not use their power to commence the fight again. And his single argument for this proposal is that it is constitutional, and that if the Constitution is violated the country will go to pieces. But it went to pieces before, when nobody so much as threatened the Constitution, when those who now appeal to the fundamental law were masters of Congress, of the finances, and of the military and naval forces of the country. Mr. Johnson's advice to his countrymen is to replace the same party in the same position, and then see how undivided the country will remain. Why should they run that risk when they have already seen?

Of another portion of the Message the *Spectator* says:

This is an appeal in reality to the party which, always numerous in the Union, is now raising its head again, which holds that the war was fought solely and absolutely for Union, that is, for empire; that the moment this object has been secured, or appears to have been secured, war ought to cease; that the position of the negro has nothing to do with the question at issue, which is simply, "Can a State leave the Union?" Once grant that proposition, once limit the object of the North to Union, and Mr. Johnson's logic is irrefragable The South having been defeated, has given up the theory of secession, and if that be all there is no sound reason why she should not be readmitted without terms, or treaties, or exceptional legislation of any kind. The object of the war, to prove the indivisibility of the Union by force, has been demonstrated, and there is an end. Any further action becomes, as Mr. Johnson says, "punitive," and as applied to innocent and guilty alike, objectionable. It is because this is *not* the sole object of the war, because the North has fought for Union *and* free labor, and not for Union alone, that further guarantees are demanded, and must be given. The Union is secure, but free labor is not secure, is the very reverse of secure, and it must be secured before any real or permanent peace can be declared. This, and not the *mode* of guarantesing free labor, is the essential and irremediable quarrel between the President and Congress. He says the war was for one object, and it is finished; they say it was for two, one of which is not safe, and it, therefore, is not finished. Such a dispute, it is clear, is radical, and cannot be reconciled except by the entire conversion of one party or the other, an event excessively improbable until one or the other retires from office. Mr. Johnson retires first, vacating office in March, 1869, while the present majority in Congress must last till December of that year; and we look forward, therefore, to another fifteen months of unsettlement in the South, of disputes between the Legislature and the Executive, and of paralysis in the internal politics of the Union. The only constitutional device by which this interregnum could have been prevented, an impeachment, has been rejected, and the North must endure its painful, but not necessarily dangerous situation, as best it may.

ARABULA: or, The Divine Guest. Containing a new collection of Gospels. By Andrew Jackson Davis. Boston: William White & Co. New York: *Banner of Light* Branch Office. 1867. Pp. 403.

Mr. Davis speaks of "Arabula," or "the Arabula" (he uses both forms of expression), as "a fundamental, unchangeable, and impersonal *principle*—which also seemed like an invisible personage—which could, would, and did *judge* me not only, but all mankind, and also possessed the power of *saving* me and all who would love him (or it) and follow his (or its) commandments." P. 50. A special chapter is devoted to the "Impersonality of Arabula," and, strange to say, this chapter consists almost entirely of a *conversation* of this impersonal something with the writer, in which Arabula tries to explain himself or itself.

We do not undertake to criticise the mystical portion of this book, the part which "Spiritualists," probably, will pre-eminently value, because we do not understand it. But since all sorts of reproaches are cast, by representatives of the principal religious sects, upon the character, the tendencies, and the preachers of Spiritualism, it seems only fair to testify to the high moral excellence, purity, nobleness, of the ideas of reform and the plans for reform *incidentally* touched upon in this book.

Here is mentioned, for one thing, the Association, originally projected, we believe, by Andrew Jackson Davis, and commenced, years ago, in New York city, called "The Moral Police Fraternity."

This Association was formed after the discussions of a Convention, to which all thoughtful and humane persons, of every profession or form of faith were invited, with a platform perfectly free to all who could throw what they believed to be true light upon "The Cause and Cure of Evil." They gathered together in the spirit of the Progressive Friends, enrolling men and women together under the motto "Let no one call God Father, who calls not man Brother." The plan was that all the members should actively interest themselves in bringing sympathy and help to the suffering. Among the classes specified as always "with us," and in need of such help and sympathy, were vagrant children, orphans, the sick, destitute women, unfortunate women, intemperate men, criminals, and disabled and abused animals. It was made a special charge also to discourage and interfere with street quarrels, whether of children, men, or animals.

The people who undertook to do this work were ready and eager to give their personal service; but money also, beyond their means to give, was needed to carry out the idea, and this they could not obtain. Many refused to give from indifference, as was to be expected; but many also refused by system, and "on principle." A rich merchant objected (between the puffs of his cigar, which represented, he admitted, an expense of four hundred and twenty dollars a year), "You are not doing your work in the name of Jesus Christ." Then they were also, for want of a wider cooperation, frequently cheated by impostors, and by degrees the plan failed. But let it be noted that amid the indifference and opposition of the sects that try to monopolize the name "Christian," it is a Spiritualist who cherishes this noble idea, and tries to have it put in practice.

A curious feature of this book is the "New Collection of Gospels" it contains. The compiler's idea seems to be that every clear and high expression of truth, every striking statement of ideas suited to make men purer and better, belongs in that same category of "good news," or "glad tidings," in which the writings first called "Gospels" belong. So he gives us grand and spirit-stirring thoughts from old Indian, Persian, and Chinese prophets, and also from St. Gabriel [Derzhaven], St. John [G. Whittier], St. Gerrit [Smith], St. Theodore [Parker], St. Emma [Hardinge], St. Octavius, St. Ralph, St. Mary, and other moderns. Since writings like those here selected are truly adapted to reform mankind, and must permanently benefit the whole race in proportion as they are reduced to practice, we see not why they may not properly be called Gospels.

The last chapter of the book is entitled "Living for Others." It points out that while, under God's arrangements, no one *can* live for himself alone, the true wisdom is to make this necessity our *choice*, and lovingly live and work for the progression and benefit of all.

RECEIVED.

DAWN. A Story. 404 pages. Boston: Adams & Co.

MERCANTILE, BANK AND RAILROAD BOOKKEEPING. 400 pages. New York: Harper & Brothers.

The *Methodist Quarterly Review* for January. New York: Carlton & Porter.

The *North American Review* for January. Boston: Ticknor & Fields.

Litell's Living Age. Boston: Litell & Gay.

Blackwood's Magazine for December. New York: Leonard Scott Publishing Company.

PLAYING FOR HIGH STAKES. A Novel. By Annie Thomas. 111 pages. New York: Harper & Brothers.

A Letter from Gerrit Smith to Albert Barnes. Peterboro, N. Y.: J. W. West.

The *Freedman's Record* for January. Boston: N. E. Freedmen's Union Commission.

Demorest's Monthly for February. New York: W. J. Demorest.

Harper's Bazaar for Jan. 25. New York: Harper & Brothers.

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Special Notices.

THE ANTI-SLAVERY OFFICE on Fifth street is closed. Persons who have business with the State Society, who wish to pay their subscription for THE STANDARD, or who wish to subscribe for the paper, will please call on the undersigned, who has consented to act as General Agent for a time.

E. M. DAVIS,
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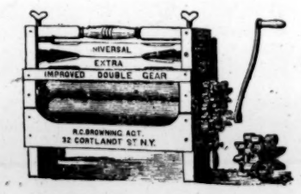

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Miscellaneous Department.

CHARACTER OF THE HAPPY WARRIOR.

WHO is the happy warrior? Who is he
That every man in arms should wish to be?
It is the generous spirit who, when brought
Among the tasks of real life, hath wrought
Upon the plan that pleased his childish thought;
Whose high endeavors are an inward light
That makes the path before him always bright:
Who, with a natural instinct to discern
What knowledge can perform, is diligent to learn;
Who, doomed to go in company with Pain,
And Fear, and Bloodshed, miserable train!
Turns his necessity to glorious gain;
In face of these doth exercise a power
Which is our human nature's highest dower;
Controls them and subdues, transmutes, bereaves
Of their bad influence, and their good receives:
By objects which might force the soul to abate
Her feeling, rendered more compassionate,
Is placable—because occasions rise
So often that demand such sacrifice;
More skilful in self-knowledge, even more pure,
As tempted more; more able to endure,
As more exposed to suffering and distress;
Hence also more alive to tenderness.
'Tis he whose law is reason; who depends
Upon that law as on the best of friends;
Whence, in a state where men are tempted still
To evil for a guard against worse ill,
And what is quality or act is best
Doth seldom on a right foundation rest.
He labors good on good to fix, and owes
To virtue every triumph that he knows;
Who comprehends his trust, and to the same
Keeps faithful with a singleness of aim;
And therefore does not stoop nor lie in wait
For wealth, or honors, or for worldly state;
Whose powers shed round him in the common strife,
Or mild concerns of ordinary life,
A constant influence, a peculiar grace;
But who, if he be called upon to face
Some awful moment to which Heaven has joined
Great issues, good or bad for human kind,
Is happy as a lover, and attired
With sudden brightness, like a man inspired;
And through the heat of conflict, keeps the law
In calmness made, and sees what he foresaw;

* * * * * * *

'Tis, finally, the man, who, lifted high,
Conspicuous object in a nation's eye,
Or left unthought of in obscurity—
Who, with a toward or untoward lot,
Prosperous or adverse, to his wish or not,
Plays in the many games of life, that one
Where what he most doth value must be won;
Whom neither shape of danger can dismay,
Nor thought of tender happiness betray;
Who, not content that former worth stand fast,
Looks forward, persevering to the last,
From well to better, daily self-surpassed;
Who, whether praise of him must walk the earth
Forever, and to noble deeds give birth,
Or he must fall and sleep without his fame,
And leave a dead, unprofitable name—
Finds comfort in himself and in his cause;
And, while the mortal mist is gathering, draws
His breath in confidence of Heaven's applause;
This is the happy warrior; this is he
Whom every man in arms should wish to be.

WORDSWORTH.

LETTER FROM JOHN QUINCY ADAMS.

[We are indebted to Miss LILLIE B. CHACE, of Valley Falls, R. I., a granddaughter of the late ARNOLD BUFFUM, for the following hitherto unpublished letter from JOHN QUINCY ADAMS:]

WASHINGTON, April 10, 1838.

ARNOLD BUFFUM, *Philadelphia—My respected friend:* Your obliging letter of the 6th inst. has been received. An expression of the public sentiment disapproving the resolution of the House of Representatives of the United States, of the 21st of December, coming from the city of Philadelphia, would be cheering and gratifying to me, and I presume to the 74 members who voted against that resolution. But it will not be in my power to attend a public meeting convened for that purpose at Philadelphia, not during the month of May, because my duties to the public services will then detain me here, not two days after the close of the Session of Congress, because I expect not to be so soon able to leave this city.

Whether all or any of my associates who concurred in resisting, though ineffectually, that outrage upon the rights of the people, would have it in their power, or find it in their inclination to attend and address the meeting, if invited, I am unable to say, but grateful as I should feel for the honor of such invitation, I should under every circumstance be compelled to decline it.

I entertain the opinion, perhaps in some respects peculiar to myself, that if it be proper for an orator of transcendent accomplishments to address popular assemblies, other than those of his own constituents, upon topics of great national interest, and upon which the opinions of the people are greatly divided, not without an intermixture of discordent feeling, it is a privilege exclusively belonging to them, and that it ought by no others to be exercised or attempted. Conscious of possessing no such superior talent, I never have attempted or pretended to exercise it. In no instance have I ever addressed extemporaneously a popular assembly, with the single exception of a meeting of delegates from the towns in my own Congressional District last Summer. I may add that in my representative character, and during a period of my life while I was in practice at the bar, I never spoke to a court, jury or legislative assembly, but with extreme reluctance, nor without more pain than I would willingly inflict upon the bitterest enemy I have in the world.

If you tell me that during the Sessions of Congress scarcely a day passes but you see in the newspapers some speech of mine, I cannot deny it, but they are unpremeditated and often undigested remarks, drawn from me by the current of deliberation upon public measures, and altogether unfit to abide the test of a critical examination. Readiness for debate, I consider as one of the necessary qualifications of a Representative of the people. Pretensions to oratory are not indispensably necessary, and when asserted without proving themselves substantial, always obtain more ridicule than respect. I have in my day been a professor of rhetoric, but never had any pretensions to the talent of extemporaneous oratory.

These are the reasons which must now, and at all times forbid my acceptance of an invitation to address any political public meeting at Philadelphia. As a public man I have an invincible repugnance to speak in public, unless under the impulse of unquestionable duty. In my estimate of human affairs a volunteer in public speaking should speak nothing but Oracles. I have no Oracles to deliver.

With reference to your other inquiries, I incline to the opinion that the Texas question will not be seriously agitated at the present session of Congress, and yet there is no trusting to appearances. I have this very day received an article from a New Orleans newspaper, stating that Gen. Gaines had received orders to take a position upon the Sabine, and that a portion of the regular army was to be stationed there—for what purpose, unless it be another invasion of Mexico?

But your other question is far more perplexing. A Christian man, who loves and serves his Maker, to serve as a candidate for the Presidency, cannot be difficult to find. There are such already in nomination before the people; and the present incumbent, I take it for granted, will claim to be of that description himself. If you ask the question whether the Abolitionists or Anti-Slavery men should nominate a candidate of their own, I would explicitly say, no. There is no man whom they could nominate with any prospect of success; and the only way in which they could have any influence would be by uniting to turn the balance in favor of the candidate the least obnoxious to their views.

They are already a large, a growing, and most respectable party. But until very lately, they have disclaimed all political action, and they have accordingly been held of no account in politics. And with regard to their own strength, let them not deceive themselves. While a Convention of the people of Pennsylvania refused to strike out the word "white" from the roll of men entitled to the elective franchise—while your Chief-Justice strikes all colored men out from the list, without even waiting for the insertion of that disfranchising word in the Constitution—while your Legislative Assembly refuses the use of their hall for the delivery of an Anti-Slavery lecture, and while your colored men are excluded from the right of trial by jury, be assured that all your *ambitious* statesmen will rest their hopes of advancement upon the *denial* of all community of opinion with you. They will continue to be as they universally are, Anti-Abolitionists. Expect nothing from them.

If the time should ever come when your power will be felt at elections, candidates will court your favor by concurring with your opinions. They now feel their interest to be to court your adversaries, and to call you fanatics and incendiaries. If I should live to witness the change, I shall then be ready to say with Simeon of old, "Lord, lettest thou thy servant depart in peace." For myself, for the short remnant of my days on earth, I shall desire only your good opinion and your approbation.

I am, with great respect, your friend and fellow-citizen,

J. Q. ADAMS.

MUSINGS IN THE TEMPLE OF NATURE.

BY DR. CHATFIELD.

MAN can build nothing worthy of his Maker:
From royal Solomon's stupendous fane,
Down to the humble chapel of the Quaker,
All, all is vain.

The wondrous world, which He himself created,
Is the fit Temple of Creation's Lord;
There, may His worship best be celebrated,
And praises poured.

Its altar, earth; its roof the sky untainted,
Sun, moon and stars are lamps that give it light,
And clouds, by the celestial artist painted
Its pictures bright.

Its choir, all vocal things, whose glad devotion,
In one united hymn is heavenward sped,
The thunder-peal, the winds, the deep-mouthed ocean
Its organ dread.

The face of nature, its God-written Bible,
Which all mankind may study and explore,
While none can wrest, interpolate, or libel
Its living lore.

Hence learn we that our Maker, whose affection
Knows no distinction, suffers no recal,
Sheds his impartial favor and protection
Alike on all.

Thus by Divine example do we gather
That every race should love alike all others;
Christian, Jew, Pagan, children of one Father
All, all are brothers.

Conscience, heaven's silent oracle, th' assessor
Of right and wrong in every human breast,
Strongly condemns th' impenitent transgressor
To live unblest.

The pious and the virtuous, though assaulted
By fortune's frown, or man's unjust decrees;
Still, in their bosoms, find a pure, exalted,
Unfailing peace.

Hence do we learn that hardened vice is hateful,
Since heaven pursues it with avenging rod,
While Goodness, self-rewarded, *must be grateful*
To man and God.

Oh, Thou most visible but unseen Teacher,
Whose finger writes its lessons on our sphere:
Oh, Thou most audible, but unheard Preacher,
Whose sermons clear

Are seen and read in all that Thou performest;
Wilt Thou look down and bless, if, when I kneel
Apart from man-built fanes, I feel the warmest
And purest zeal?

If in the temple Thine own hand hath fashioned,
'Neath the bright sky, by lonely stream or wood,
I pour to Thee, with thrilling heart impassioned,
My gratitude?

If in Thy present miracles terrestrial
Mine eyes behold, wherever I have kneeled,
New proofs of the futurity celestial
To man revealed?

If, fearing Thee, I love the whole creation,
Keeping my bosom undefiled by guilt,
Wilt Thou receive and bless mine adoration?
Thou wilt—*I know* Thou wilt.

—*London Magazine.*

Our Foreign Correspondence.

FLORENCE, Italy, Dec. 10th, 1867.

To the Editor of the Standard:

Soon after my arrival in Florence, I visited the grave of Theodore Parker. I had had an intense longing to see it, from the day, years ago in America, I was shown a well-known photograph of that hallowed spot, marked by the plain marble slab, and with the words underneath, "The grave of Theodore Parker." And it was with feelings of peculiar pleasure that I hastened to gratify that longing as soon as possible after arriving.

The remains of this truly great and good man are interred in the English cemetery, just outside the walls of Florence, and a more beautiful situation could hardly have been selected for the sacred purpose of a burial-place. It is on a slight elevation, and the view, including the most lovely portions of the surrounding scenery, is charming. The grave of Mr. Parker is placed in one of the shadiest and quietest corners of this cemetery, and is beautiful in its extreme simplicity. A plain slab, with name, date, and place of birth and death, are all. But it is all the great man needed. A towering monument or costly tomb would be superfluous to perpetuate the memory of Theodore Parker. In the hearts of thousands he still lives, and his noble, spotless life is a monument more enduring than the whitest marble. How fully I was impressed with the truth of this as I stood by that quiet grave, on the afternoon of a bright Italian day, with Florence behind me and in front the distant peaks of the Appennines, bathed in the soft roseate light of the declining sun.

Garibaldi, after being confined for several weeks in the fortress of Varignano, has been allowed to proceed to Caprera, on giving his pledge not to leave the island without permission. The state of the General's health, which was much affected by his imprisonment, induced the Italian government to take this step. At the time of Garibaldi's arrest, the event was only briefly stated. I subjoin a few details which perhaps are not known to all your readers.

Garibaldi, on reaching the Italian frontier, after the battle of Mentana, took the first train for Florence, accompanied by a few friends only. All went well until, on arrival at Figline, the train was stopped, and a Lieutenant-Colonel of Carbineers presented himself and demanded to speak to Garibaldi alone. The station was occupied by a strong detachment of troops. Garibaldi said to the officer, "Have you a regular warrant for my arrest?" The Colonel replied, "No, I have only verbal orders to arrest you." Garibaldi answered, "Then you are committing an illegal act. I am not guilty of any hostility against the Italian State or its laws. I am an Italian deputy, a Roman General, elected by a government legally constituted, and an American citizen. As such, not having been taken in *flagrante delicto*, I cannot be arrested, and you, as well as those who sent you, violate the law. I declare that I will only yield to an act of violence, and if you wish to arrest me, you must do so by force." The little band of friends who accompanied the General, wished to defend his person and assault the officer, but Garibaldi declared that he would not allow the violence used towards him to be met with force, and that he would never consent to a conflict with Italian soldiers. "Therefore," said he, "abandon all idea of armed resistance. If I had wished to resist, arms in hand, I should have used those I had at my command instead of laying them down at the frontier." There was a great crowd in the station, and in order to put an end to a spectacle so humiliating for the country, M. Crispi, a Radical deputy, accompanying Garibaldi, telegraphed twice to Florence, to the President of the Council, asking him to revoke the orders given, and assuring him that Garibaldi only wished to return to Caprera. The Colonel was asked to delay the departure of the train, to give time for a reply to arrive. An hour having passed without any answer from Florence, the officer announced that the moment had come to execute his orders. Notwithstanding the declaration of Garibaldi that he was suffering, and exhausted from several days privation and fatigue, the officer was inflexible. The Carbineers approached the General, and the sergeant who conducted them requested him to follow. As he continued to protest, the Carbineers actually *carried him*, in the midst of the solemn silence of his friends, to a railway carriage prepared for him. Only his family and servants were permitted to accompany him, and the little party were rapidly conveyed to the fortress of Varignano.

After the battle of Mentana, which ended the late Roman invasion, the French official journals denied that French troops took any part in it at all, but were simply in reserve, in order to render assistance in case of the defeat of the Papal forces. But that they did participate actively, is now admitted by all; and it has also been proved that without their assistance and their Chassepot rifles, before the murderous fire of which the Garibaldian legions melted away like snow before a Summer's sun, the Pope's army would have been ignominiously defeated. The French General Failly, who, in his official account of the battle, adds at the end, "*The Chassepot did wonders*," has earned a very unenviable reputation. A General who is eager to try his new rifles on an almost defenceless foe, is deserving of universal execration. The French being once more in Rome, Garibaldi a prisoner, and the Pope still at St. Peter's, let us glance for a moment at the political horizon, yet in a very perturbed state. The French government being sensible that the Roman question is as far from settlement as ever, has issued invitations for a "Conference" to settle the matter, inviting to its deliberations every State in Europe. Whether it will ever meet I have grave doubts. Several of the Great Powers, while professing to accept the Conference in principle, demand that there shall be some definite base settled upon, declaring that without it, no result can be arrived at. The invitation, as issued by the French government, is couched in very vague terms, and those interested very naturally desire to know what they are to start upon and what really is to be considered. Louis Napoleon has again taken the load of the Papacy upon his back, and this time he seems to be tottering under it. The clerical party, encouraged at this last rescue of the Pope, are clamoring for additional guarantees for the temporal power, and some of them, in their insane ravings, seem to imagine that we are still living in those good old times when Popes ruled the world, and made or unmade kings, according as they saw fit, instead of in the light and common sense of the nineteenth century, in which the Pope is "thought no more of than other men, and the Temporal Power is looked upon as a ridiculous imposition and the disgrace of the age. On the other hand, there is a large and steadily-increasing party in France, who denounce the second intervention and insist that the Pope should be left to take care of himself. So, between the two, the Emperor's position is anything but pleasant. The other Great Powers, always pleased at the troubles of their rival, stand looking on, and are not in the least hurry to come forward and help him out of his difficulties. This remark, however, does not apply to England, which has always been friendly to the Emperor and always disposed to keep the peace of Europe.

Meanwhile, the Pope, with the assistance of the French, is strengthening the fortifications of Rome, as if to show his determination to enjoy the patrimony of St. Peter for some time to come. The poor Italian government, humiliated and brow-beaten to the last degree, seem to have drained their cup of bitterness to the last drop, and now await with resignation whatever may happen to them. Here in Florence, I am struck with the intense indifference and weakness of the Italian character. Before the defeat of Garibaldi, the Italians boasted of the great things they were going to accomplish, but when the news came of the battle of Mentana, the Florentines seemed to receive it with the greatest indifference, and they joy along in their old way, as if nothing had happened. Unfortunately, with the exception of Garibaldi and a few other kindred spirits, the country has no brains. There are no men equal to the occasion. The hour has come but the man is wanting. What with bankruptcy, misgovernment, fraud and robbery in almost every official department, general prostration of business and universal discontent, Italy is decidedly in a very bad condition. And yet the Italians do not seem to realize it. How much a man like Cavour would be appreciated now by all thinking men!

The Italian Parliament has just opened, and an attempt has been made by the "Left" or Radical section, to elect Rattazi, the late Premier, as President of the Chamber. But it has failed and the Government candidate has triumphed by a considerable majority. It is expected before many days, that a demand will be made for Garibaldi, as he is a deputy, and the government will be asked why they detain him. If anything of note occurs in connection therewith I will let you know.

In other parts of Europe, affairs are going on in the ordinary course. The Russians still continue to oppress the Poles, and have lately ordered that the professors in Polish colleges shall teach in the Russian language only. How this decree will be carried out, is rather difficult to say, as many of the professors do not speak the Russian language at all. The Czar is quietly preparing for next Spring, in order to do his part in the general melee inevitably to come, about the Eastern question. Austria seems at last to be progressing and is slowly making most necessary reforms. Francis Joseph, the present Emperor, has been taught some severe lessons and he appears disposed to profit by them. Since his reconciliation with Hungary, the Emperor seems to be honestly striving to do his best for all his people.

Turkey has not yet crushed the Cretan insurrection. Liberty, like some material substance, is very elastic. It will stand a great deal of squeezing and crushing, but always comes up again and the Cretans will yet be free. The Great Powers have warned Turkey that if she persists in her present measures, they will withdraw all moral support from her.

In Spain and Portugal, nothing of note has occurred. Under the mal-adminstration of Queen Isabella, the former country is rapidly sinking lower and lower in the social and political scale. Some time ago, during one of the political reactions common to the country, the Queen arrested a large number of senators and other political personages and, without trial, banished them all to penal settlements in the islands of the Atlantic. Some of the unhappy men were torn from their beds at night, and hurried on board the convict ships without having time to bid adieu to their families. She has lately thought better of this act, however, and has just issued a decree permitting them to return.

Isabella is completely in the power of the priests, and, as usual in such cases, persecutions, assassinations and violence are the order of the day. Marshal O'Donnell, who died lately in Biarritz, was buried a few weeks since, with great pomp in the city of Madrid. All classes of people united to do him honor, as his virtues and ability were universally acknowledged. Banished from Spain by his ungrateful Queen, he nevertheless always took an interest in the welfare of the country which he had served so well, and whose decadence he so much regretted.

Besides the Roman Question, France has but little else to disturb her. In Paris, the manufacturers have had some trouble with the Prefect of the Seine, about the payment of duties, which threatened at one time to become serious, but is now over. The Exposition is at an end, and the crowds of strangers of every nationality have left the city, leaving behind thousands of francs in the pockets of Parisian shop-keepers and hotel managers, who sigh because they have no more victims. The Champs de Mars is being rapidly stripped of its gay adornments, and will soon assume its ordinary appearance, viz., a parade ground for troops. The Universal Exhibition of 1867 is a thing of the past. It has never been equalled and will never be surpassed. Those who were fortunate enough to see it, beheld what human eyes will never see again, and those whom business or necessity kept away from Paris during those memorable months, have missed an opportunity that can never be made up to them. It was not alone the vast extent of the Exhibition, but it was the value and great rareness of some of the articles exhibited, the truly world-wide character which it assumed, and the immense amount of knowledge and information, relating to every science, art, profession and trade, which it has given to mankind, which made it so exceptional. Its memory will long live, both as one of the greatest events of the age, and the crowning act of the reign of Napoleon III.

In England, public attention is divided between the Fenians and the Abyssinian Expedition. The execution of the three Fenians at Manchester, while seemingly justifiable from a legal point of view, has nevertheless created a great deal of feeling. The French and other Continental papers violently attack the English government for their course and M. Louis Blanc has written a very severe article in which he condemns capital punishment in general, and England in particular. The article is written with ability, and has attracted much attention. Of course the Fenians attempt to make capital out of the affair, and have indulged in many mock funeral processions and other similar demonstrations, in order to awaken renewed sympathy for their unrighteous cause. Ireland is undoubtedly an oppressed country, but shooting policemen, rioting and incendiarism never did further any good cause, and Fenianism will not prove an exception.

The Abyssinian Expedition is not popular with the English, and the nation does not like being called upon to pay two millions of pounds to atone for the blunders of a stupid Consul, who did not know how to manage a savage king. It also appears that the British government had decided on the Expedition without consulting Parliament, and when that body lately met in special session, Mr. Disraeli, Chancellor of the Exchequer, quietly asked for two millions of pounds, to carry on the Abyssinian war. The House of Commons was astonished, an animated discussion ensued; Lord Stanley, the Foreign Secretary, endeavored to explain matters; the money, of course, was finally voted, and the British Lion goes forth to Abyssinia to assert once more his authority as king of beasts.

London has just been afflicted with a cab-strike. On a certain afternoon, at four o'clock, every cab disappeared as if by magic, and all London was obliged to walk. At all the railway stations not a cab was to be seen, and as the trains arrived, the platforms were crowded with travellers unable to get any conveyance to take them and their baggage to their houses or hotels. Members of Parliament came out, at the close of the session, to find not a cab in the palace yard, and if not the fortunate possessors of private carriages, walked home, sadder, if not wiser, men. People leaving the city were stopped by having nothing to take their trunks to the station; the theatres were deserted, for lovers of the drama like cabs in which to go and come; in short, everything requiring rapid locomotion was paralyzed, and London, for the moment, knew not what to do. Strikes are usually a failure, but this one was terribly effective. The immediate cause of the trouble (I say immediate cause, because the cabmen have a long list of grievances already) was the new regulation requiring all drivers of cabs to carry a lamp at night. This, the cabmen considered as adding one more to their many expenses, and it constituted the last hair which broke the camel's back.

—Accordingly, a notice was given out requesting all cabmen *to be at home* on a certain afternoon at four. They all took care "to be at home," and the result was as I have described. Of, course London could not do without cabs, and immediate measures were taken by the government to remedy the matter. An immense mass meeting was held by the cabmen, and the next day a deputation from their number, accompanied by Lord Elcho, a member of Parliament, waited on Mr. Hardy, the Home Secretary, to present their complaints and see what could be done. That gentleman, on the part of the government, said that the new regulation should not be enforced, and that meanwhile Parliament should look into the matter to see what would remedy the present troubles of the cabmen. The deputation withdrew, satisfied, and the next day the cabs were flying as usual.

I have one more event to chronicle. *A woman has voted in Manchester!* Lily Maxwell (let her name not be forgotten) has actually cast a vote at the late election in Manchester for Jacob Bright (brother of John Bright) as member of Parliament. Her name was inscribed on the list of voters, and, therefore, when she presented herself, the officials were obliged to receive her vote. How the name of the heroine came to be inscribed nobody knows. It seems to be a mystery. But there it was, and Lily Maxwell asserted her right and voted. The English papers endeavor to make light of the affair, and the *Times* devoted an editorial to it which it tried to make sarcastic, but the fact still remains. The Manchester officials, by receiving Mrs. Maxwell's vote, acknowledged the right of female suffrage in England, and unless it is formally declared illegal, there is henceforth nothing to prevent women from voting in that country. Let the friends of women in America take courage, when English women thus set them an example.

E. Q. P.

P. S. Dec. 12th.—M. Rouher, the French Minister of State, has declared in the "Corps Legislatif" that Italy shall *never* possess Rome. This declaration destroys all hope of a Conference, as no other Powers will confer on a question which France thus virtually takes into her own hands. The matter now assumes a new phase, and we shall see how Louis Napoleon will look out for the Pope's welfare.

E. Q. P.

THOMAS HOOD'S TRIBUTE TO LITERATURE.—My own obligations to Literature are a debt so immense as not to be cancelled, like that of Nature, by death itself. Adrift early in life upon the great waters—as pilotless as Wordsworth's blind boy in the turtle-shell,—if I did not come to shipwreck, it was that, in default of paternal or fraternal guidance, I was rescued, like the ancient Mariner, by guardian spirits, "each one a lovely light," who stood as beacons to my course. Infirm health and a natural love of reading happily threw me, instead of worse society, into the company of poets, philosophers, and the sage—to me good angels and ministers of grace. From these silent instructors, who often do more than fathers, and always more than godfathers, for our temporal and spiritual interests—from these mild monitors, I learned something of the divine, and more of the human religion. They were my interpreters in the House Beautiful of God, and my guides among the delectable mountains of nature. They reformed my prejudices, chastened my passions, tempered my heart, purified my tastes, elevated my mind, and directed my aspirations. I was lost in a chaos of undigested problems, false theories, crude fancies, obscure impulses and bewildering doubts—when these bright intelligences called my mental world out of darkness like a new creation, and gave it "two great lights," Hope and Memory—the past for a moon, and the future for a sun.

JAMES GALE.—Mr. James Gale, the inventor of the method for making gunpowder non-explosive, was born at Tavcslock, a small town of Devonshire, in the west of England. He is the son of poor parents, and received but little education at the British school of that town. During his school days he earned his livelihood by selling cakes of blacking on Saturdays, going from house to house. A sad calamity befell him while thus engaged. He became perfectly blind, after every effort had been made to restore his sight without success. He then resumed his former pursuit, walking his rounds alone. Having an ear for music he soon became an accomplished player on the concertina, which, with his blacking business, furnished him lucrative employment. Having made a little money, he married the school mistress of the Tavcslock workhouse. Her friends blamed her much, but their advice was of no avail. They were married and removed to Plymouth, where they opened a bread store. The wife managed the shop, and the husband devoted his attention to galvanism and electricity, and on learning of the explosion of the powder train at Balaclava, he conceived the idea of the possibility of making gunpowder non-explosive without deteriorating its power, so that by a mechanical change it was restored to its original strength. This he has succeeded in doing, and is now raised from comparative poverty to wealth. He has already received $150,000 for his invention, with an interest in the company which has undertaken to manufacture the article and carry on the business of carriers of the combustible article at non-explosive rates, saving the merchant £5 per ton for transportation.

KENTUCKY LOYALTY.—On Wednesday last the Kentucky Senate adopted the House resolutions, requesting the removal of the troops from the State, condemning the Freedmen's Bureau, asking for the restoration of the writ of *habeas corpus*, and rejecting the Constitutional Amendment.

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